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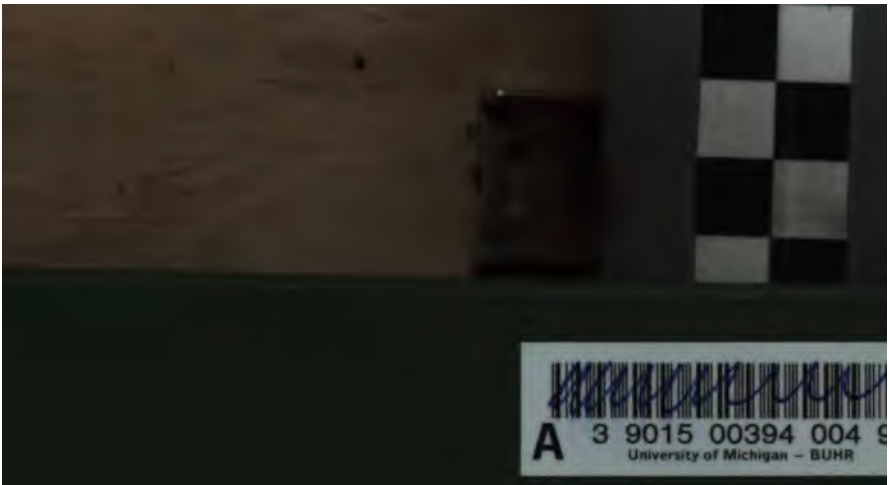
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Intercollegiate Debates

(*Volume V*)

A YEAR BOOK OF COLLEGE DEBATING

WITH RECORDS OF QUESTIONS AND DECISIONS,
SPECIMEN SPEECHES AND BIBLIOGRAPHIES

JOHNS HOPKINS UNIVERSITY — UNIVERSITY OF NORTH CAROLINA — UNIVERSITY OF VIRGINIA — TEXAS — LOUISIANA — ARKANSAS UNIVERSITIES — KANSAS — OKLAHOMA — COLORADO UNIVERSITIES — LAWRENCE — CARROLL — ALBION COLLEGES — WILLIAM JEWELL — MONMOUTH COLLEGES — TEXAS CHRISTIAN — TRINITY — SOUTHWESTERN UNIVERSITIES — POMONA — OCCIDENTAL — UNIVERSITY OF SOUTHERN CALIFORNIA

EDITED BY

EGBERT RAY NICHOLS

UNIVERSITY OF REDLANDS
ENGLISH DEPARTMENT

FIRST EDITION

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PREFACE

Intercollegiate Debates Volume V makes its initial bow with the same make-up and appearance, the same general plan and special features, the same apologies, and the same acknowledgments that have marked its predecessors, and with the hope of being accepted as a worthy member of the series.

The debates in this volume are, of course, new. Some of them in addition are upon subjects new in the debating field. Others are upon subjects that might be called standard so long have they dwelt in the favor of intercollegiate debaters. All of the debates are good, and will prove, we trust, of interest and value to debaters and instructors alike, and to all followers of college debating.

A few new features have been added to the present volume such as the summary of the number of debates on given subjects since this series of books on Intercollegiate debates was begun, found in Appendix IV, and the designation in Appendix II of the Honorary Forensic society to which certain institutions belong.

To those who have contributed to and aided in this compilation the editor extends thanks and his appreciation of their valuable coöperation. As in previous volumes, worthy debates have been declined or left out of

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this volume because the same subject had been used before or because there is a limit to the number of pages that bind conveniently into a book. It is the hope of the editor that contributors who have not gained a place here may do so in future volumes of Intercollegiate Debates.

EGBERT RAY NICHOLS.

University of Redlands,
Redlands, California,
May, 1915.

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INTRODUCTION

The introduction to a volume which is but one of a series, the extent and scope of which has previously been defined and set forth, may well begin with a survey of the year that brought the volume forth.

I. SURVEY OF PAST YEAR IN DEBATE

The year 1913-14 has brought nothing new into the realm of intercollegiate debating; it stands rather as a year of shifting, transitional conditions. Many debate organizations of long standing have disbanded, giving place to new organizations. This tendency toward readjustment in debate relations is perhaps as prominent as anything in the year's work. Some of the promises and tendencies pointed out in the Introduction to Intercollegiate Debates, Volume IV, last year have been fulfilled and developed; others have remained unfulfilled and undeveloped, which all goes to prove that one can not draw generalizations about intercollegiate debating with any degree of success. On the whole the year of 1913-14 has been an ordinary, hum drum year in forensic activities.

With regard to the promises and tendencies mentioned above, a comparison of the conditions of last year and of this year may prove interesting. In the first place,

the number of debates per institution decreased from last year. This was foreseen in the Introduction to Volume IV when the remarkable increase over previous years was noticed. A re-adjustment toward the normal was inevitable.

Again, the desire for a long trip for the debating team was noticed last year. The present year does not show any diminution of the travelling predilection. In fact, if one might hazard a prophecy, this instinct has come to stay in debating. College athletic teams have always had "the hankering" for new scenery and new teams to conquer. The trait seems to characterize college men in particular. Ever in search of experience and the unfamiliar, of the new and the strange, the college man sees an opportunity in the forensic team as it is composed of few men, and, of all college teams, travels with the minimum expense. A good trip is an inducement, or a challenge, or a reward for hard work, or whatever you choose for the college man and insures a fight for the team. In this respect it is a worthy rival to the forensic honorary society.

A. ORGANIZATIONS

Further, in debate organizations last year there was a marked tendency toward the dual arrangement of debate. This year, the dual plan has barely held its own as a form of debate. The quadrangular type shows no change, the sole exponent in Pennsylvania standing firm. Attempts elsewhere to arrange quadrangulars have failed. The pentangular plan, losing one last year,

gained one this year when the Minnesota colleges at last, after several years of agitation, agreed to debate each other in this manner. It may be, however, that the pentangular lost another league this year as the record to be compiled for the next year may show; if so, this form sustains a loss instead of remaining at par. The annual debate and the triangular arrangement, especially the triangular, continue as the more popular forms of intercollegiate debate relation.

In the triangular form some changes were noted last year, such as: the tendency toward holding the debates on neutral ground or at the third college in the league in each case; the plan of securing all judges from this third college; and the preference for five judges rather than three. These changes have grown in favor, more triangular leagues having taken them up during the last year. In the breaking up of long standing triangular organizations, however, and the formation of new ones, there have been some surprises. The new combinations, it may be said, almost invariably favor the acquirement of a trip of some distance or the uniting in the same league of institutions of the same denomination, of the same kind or class, whereas there was disparity before the change. For instance, the agricultural colleges or state colleges have been forming interstate relations as the state universities have done before them. The normal schools, the denominational colleges, etc., are getting into leagues where they meet worthy rivals of their own class. As was remarked in a previous introduction, the class spirit is strong in college men, and a triangular

composed of a state institution, a denominational college and a normal school has little cohesive power. Each institution ultimately seeks a like unit or units for a new organization. It is among the small colleges that the more frequent changes in debate relations occur. There are probably less changes in triangular relationship and among colleges maintaining such relationship than among the colleges which make a practice of scheduling single, annual debates.

B. QUESTIONS

Another comparison of interest between the debating of this year and the previous year lies in the subjects discussed. In 1912-13, as can be seen by a study of Table II in Appendix III, Compulsory Arbitration, the Central Reserve System or Central Bank, Federal Charter for Corporations, Immigration, Minimum Wage, Commission Form of Municipal Government, Panama Canal Tolls, Recall of Judges, Recall of Judicial Decisions, The Tariff, and the Trusts were the popular and much debated subjects. Of these subjects the following were debated in 1913-14 more times than in the previous year: Immigration, Minimum Wage, and Panama Canal Tolls. The Central Reserve System was not debated at all this year and the Federal Charter for Corporations, Recall of Judicial Decisions, and the Tariff were debated less than three times each. Among the subjects debated comparatively few times in 1912-13 but found popular in 1913-14 are: Government Ownership of Railroads, Change in Method of Electing President of United

States (Six Year Term, etc.), Independence of the Philippines, and Woman's Suffrage. Among the subjects of 1913-14 that were not debated in 1912-13 at all, and that are practically new with a few exceptions are Anti-Alien Land Legislation, Federal Control of the Express Business (Extension of Parcels Post), Federal Blue Sky Law, Government Ownership of Telegraph and Telephone Lines, Abandonment of the Monroe Doctrine, Municipal Ownership of Public Utilities, Open Shop Justifiable, Direct Primaries, State Commission Control of Public Utilities, Unicameral State Legislatures, and the United States Naval Policy. This is rather a large number of new subjects for one year and not all the new ones have been included. The changes in popularity of the leading subjects given above is the usual and normal thing. The one singular thing is that all previous records for the popularity of a debate subject were broken by two subjects in 1913-14, Immigration and the Minimum Wage. The highest previous record was achieved by the Recall of Judges in 1911-12. The Recall of Judges in that year registered thirty-seven intercollegiate debates. This year Immigration and the Minimum Wage registered forty-one and fifty-seven respectively. This increase may be explained by the fact that more institutions than ever before debated in 1913-14, by the fact that the tangle of intercollegiate debate relationships tended toward a concentration on a few subjects, and by the fact that the number of debates on the next half dozen popular subjects was not as large as usual.

2. KINDS OF DEBATE QUESTIONS

Intercollegiate debate subjects may be roughly divided into three divisions: (1) Economic or Industrial, (2) Sociological, and (3) Political or Governmental. It often happens, however, that a debate question belongs in two or in all three of these divisions, but usually it belongs more to one division than to the others. There seems to be no particular preference among college men for questions belonging to one division over questions belonging to another. To be a leading debate question, a subject more often than not belongs to two or all three divisions. In 1910-11 the Income Tax was the popular subject and it is economic and political or governmental. In 1911-12 Recall of Judges was the leader, and it is chiefly political or governmental. In 1912-13 Recall of Judges shared popularity with Control of the Trusts, a question fraught with economic or industrial and sociological significance. In 1913-14 the Minimum Wage was first and Immigration second. Both of these questions are economic and sociological. One might carry out this examination among the subjects that held places not far behind the leaders. Here one would find many political subjects such as: Six Year Term for President, Abandonment of the Monroe Doctrine, etc. But again, he would find many belonging to more than one division such as: Municipal or Governmental Ownership questions, Commission Form of Municipal Government, Woman Suffrage, Compulsory Arbitration, Panama Canal Tolls, and Independence of the

Philippines. It can not be urged that economic, social, or political trend determines the choice or popularity of debate subjects, but it is certain that these interests must be present singly or in combination or the subject does not take with college men. There have been spasmodic attempts to bring discussions of college fraternities, abandonment of football, the place of classic and vocational training in our educational system, student government, etc., before college men but these attempts have failed. Such subjects do not become popular and are never widely discussed in intercollegiate debates.

3. POPULARITY OF DEBATE QUESTIONS

To become popular a debate subject must hold a high place in public interest. As things stand now public interest largely determines the popularity of a debate subject. Unless a subject makes a broad appeal it is not attractive to college debaters. They have a hard enough time getting audiences without handicapping themselves with obscure and little known subjects. Strictly school and educational questions fail in gaining the public attention, hence college men do not like to debate them. Legal subjects, such as changes in the jury system, in the legislative system, etc., do not win a following among debaters until, as in the case of the Recall of Judges and of Judicial Decisions, they command the attention of the public.

Another prerequisite of a popular debate subject is newness. This is not so important as public interest,

and does not always hold. An old subject is sometimes a very popular one if there is a dearth of satisfactory subjects that are new. For instance, Immigration, second in popularity this year, is a subject grown hoary with age in the service of intercollegiate debaters. Municipal Ownership of Public Utilities is another old subject that has returned, but it must always be remembered that these subjects are new to the men of this college generation and as far from settlement as they were a decade ago.

Another prerequisite of a popular debate subject is that it should be two-sided. College men like to feel that there is a "chance" on either side, and that the debate will be more or less an even battle. Unless this is true there is dissatisfaction with the statement of the question and with the decision of the judges.

A fourth requirement of a popular debate subject is that there should be plenty of material available on it either in Magazines or books or in both. College debaters do not usually blaze the trail in argument; they are more gifted in research, compilation, and in the formation of new combinations of argument and fact, in drawing studied and careful conclusions. In such subjects as Federal Control of the Express Business (included in this volume) about as much pioneering is done as college men usually attain to. The National Budget question is another in which the college man must blaze the way more or less. The Federal Blue Sky law is another subject which, when debated this year, forced the preparation of speeches from the meagerest amount of

published material. Such subjects are seldom debated widely until material dealing with them accumulates, or some sudden occasion forces them before the public.

4. FUTURE QUESTIONS FOR DEBATE

Knowing the foregoing conditions which circumscribe intercollegiate debating subjects, one wonders what, in the light of recent events, the future trend of debating will be. It is not possible to forecast the trend of forensic discussion in the coming year, but it is interesting to speculate upon it especially with reference to the effect of the European war, of the Mexican situation, the Colorado Strike situation, etc. International Arbitration was discussed in 1911–12 and again this year. Will the war bring it forward as a prominent debate question? Will the war occasion debates on disarmament? Probably neither of these subjects will get much consideration. The war will no doubt bring discussions of a larger navy and a larger standing army for the United States, possibly a discussion of whether Germany was justified in risking this war, and undoubtedly it will give zest to discussions of the Monroe Doctrine. This latter subject would doubtless have been popular this coming year anyway. The war will occasion subjects of economic nature as Ship Subsidy, Government Ownership of Merchant Marine, etc., because of the opportunity now opened to us for the trade of South America. A discussion of Pan-American Union may also be in order.

The Mexican troubles will probably keep such sub-

jects as, Armed Intervention in Mexico, Intervention to Maintain a Stable Government in Latin American Republics, etc., before us. The Mexican situation will also help to put vitality into the discussion of the Monroe Doctrine.

The Colorado situation should bring up discussions of Compulsory Arbitration, Open Shop, Injunctions in Labor Disputes, Benefit of Labor Unions, Minimum Wage, and Conciliation Plans again unless the turmoil in Colorado is overlooked because of the larger things that are happening.

The coming political campaign may force Direct Primaries, the Six Year Term for President, The Tariff, and similar subjects before us, but they may be delayed a year. The Woman Suffrage question, Federal Ownership and Control of Express, of Telegraph and Telephone, of Railroads, of the Merchant Marine, all have a good chance to be discussed in the coming year and to attain a measure of popularity. Present indications point to the Abandonment of the Monroe Doctrine, and Federal Control of Express as the popular subjects in 1914–15.

5. MOTIFS IN DEBATE

The constant use of political, economic and sociological subjects in debates has led, as might be expected, to a sameness in debate plan, and in speech construction which has come practically to constitute a technic. Most debate questions are propositions involving change or action of some kind looking toward a betterment of the

political, economic, or sociological conditions involved. The conventional plan of debates on such propositions, and of the separate speeches in turn, utilize the motifs that arise with the question. By motifs, the big reasons, the generic terms comprising the reasons and causes for change and for action are meant. There are not many motifs. Sometimes there are but three on a side in a debate, in which case they are used as speech subjects. Should there be four or five motifs, certain speeches are given more than one, and the motifs become speech divisions. Should there be but one or two motifs in a question for one side, say the affirmative, the speakers must divide the evidence comprised in this limited number. Two or four motifs debate subjects fit two-men teams best, and three and five or six motifs fit three-men teams best. The one motif subject fits either.

The motifs usually made use of for debate plans and speeches are suggested in the following terms: necessary or unnecessary, advisable or inadvisable, desirable or undesirable, just or unjust, justifiable or unjustifiable, democratic or undemocratic, beneficial or non-beneficial, practicable or impracticable, politic or impolitic, wise or unwise, safe or unsafe or dangerous, tried or untried or theoretical, correct or sound in theory or incorrect or unsound in theory, efficient or inefficient, socialistic or non-socialistic, constructive or destructive, right in principle or wrong in principle, expedient or inexpedient, successful or unsuccessful, logical or illogical, legal or illegal, and constitutional or unconstitutional. In many cases, of course, the motif term is not expressed, but a



careful analysis of the speech will show, if it is a well written speech, that it is built upon one or more generic terms or motifs of this kind.

The evidence supporting a motif or comprised by it may be in one or more divisions; usually there are many divisions. For instance a speaker may attempt to show that a proposition for debate is undemocratic. He may urge in support of his position that the action proposed is class legislation, that it destroys the inherent privilege, or right, or infringes upon the liberties of the citizen, that it is socialistic, that it is paternalistic, that it is opposed to the principles of equality or other principles of free government, and therefore is not democratic. As a rule, if a speaker can bring convincing evidence to back up his contentions, or most of them, against the lack of democracy of a proposed plan or action, he wins his big point or motif. His speech registers positive with judge and audience. The listener will then keep in mind that, no matter how expedient, or practicable the action may be shown to be by the opposition, it is undemocratic and is therefore to be regarded with an attitude of doubt or hostility. It is incumbent upon the defenders of the proposition to undermine the motif, undemocratic, or to overbalance it with other motifs such as necessary, beneficial, wise, constructive, progressive, efficient, safe, etc. Many judges balance the motifs established against each other and decide with the preponderance; others balance the work of each speaker against his corresponding opponent. Both are excellent methods of determining who has the shade in the argu-

ment in a close debate. Complications set in, of course, when the evidence put up in support of a motif can be interpreted in more than one way. A debater may argue that a proposition is undemocratic because it is compulsory. Immediately he has a fight on his hands to make his motif stand, for manifestly there is good argument on the point of view that mere compulsion means nothing either way in a discussion of democracy. A fight over a division of an argument for a motif often clouds the motif so that it is a hard matter to decide whether the speaker has made good with it or not. The judges, when competent, may be trusted to make this decision. However, many judges do not weigh the evidence presented and balance the motifs against each other as they should. Some judges are incapable of seeing anything but the speakers, and the attractiveness of their respective manners of speech, and decide on vague, general impressions, or upon their own views of the subject. If all judges were willing to take notes and be mathematically judicious there would be less reason for dissatisfaction with them. A judge should always be able to give reasons that are sound for his decisions; unless he can, he brands himself as incompetent.

Many debaters have become adept in appealing through certain kinds of evidence and motifs to the particular bias of judges, especially if they have had experience with them. The type of mind of the judge is made an object of diligent research and study. A clever speaker can tell when speaking whether he is reaching the judges or not, and sometimes an alteration in argument or a

change of emphasis will win them over. Some judges are impatient of certain motifs and do not consider them vital to a subject, and would not consider them in taking action on the proposition. For instance, Constitutionality or legality count little with some judges and other motifs easily overbalance their effect if the effect on the judge isn't already unfavorable; on the other hand, with some judges (usually lawyers) Constitutionality and legality are prime considerations, and they may give them undue weight. The debaters who happen to make a good argument for the motif favored by the judges usually win. The skilled debater may, while speaking, discover the judges' tendency to favor a certain motif, and in such cases should make the most of his knowledge.

Shrewd debaters have also discovered that behind the motifs lie certain psychological attitudes of the human mind that make one motif stronger than another. The business of the debater is to appeal to these mental attitudes. For example, democratic or undemocratic becomes a strong motif when an appeal for the protection of life, of property, of liberty can be brought home to the listener's self-interest. It counts only as it is made personal with him, or touches his community, his friends, his property, his happiness, his sentiments, or his dislikes and prejudices. There are types of mind, however, that would reject much of the argument on the motif, undemocratic, for they would look at social welfare more than at individual right or liberty; the charge of paternalism or of socialism would not disturb their equanimity or jar their mental processes out of

equilibrium. These types of mind pass by the "democratic stuff" as "eagle screams" and wasted effort, and may be solely concerned with practicability. It is readily seen, then, that the argument that wins one judge alienates another because of the appeal behind the big point or motif.

Practically all the motifs lend themselves to appeals which are recognized as factors in gaining conviction and action. Self-preservation, property right and financial considerations, reputation, affections, sentiments, tastes, likes and dislikes, prejudices, personal liberties and rights, happiness, altruism, patriotism, self-sacrifice, community welfare, allegiance to law (statute, organic and moral) and business acumen — these are all names of things which influence the human intellect and will. The real power of a debater is measured by the skill with which he plays upon and appeals to these moving or impelling factors. Success then does not depend upon the plan of a debate or the choice of motifs, although these things done well are of great value, for of late plans have become more or less conventional; success rather depends upon the treatment of the motifs chosen and the skill used in making the appeal to the right things, to the right impelling factors. It is this training in practical persuasion, in the quality of shrewdness and foresight, that makes debating such a valuable mental training.





ABANDONMENT OF THE MONROE DOCTRINE



ABANDONMENT OF THE MONROE DOCTRINE

JOHNS HOPKINS UNIVERSITY vs. *UNIVERSITIES OF VIRGINIA AND NORTH CAROLINA*

The triangular debating league composed of Johns Hopkins, Virginia, and North Carolina universities was the first to adopt the plan of having each team debate away from the home institution and was also the first to increase the number of judges from three to five. On April 18, 1914, Johns Hopkins University won both of its debates for the second year of the league, defeating Virginia at Chapel Hill, North Carolina, four to one, and North Carolina at Charlottesville, Virginia, five to nothing.

The question discussed, "Resolved, that the political interests of the United States demand the abandonment of the Monroe Doctrine," is one of unusual interest.

For the speeches given here the editor is indebted to the Johns Hopkins University debaters and to Dr. John C. French, Associate Professor of English, who has charge of debating at this institution.



ABANDONMENT OF THE MONROE DOCTRINE

JOHNS HOPKINS UNIVERSITY vs. *UNIVERSITY OF VIRGINIA*

FIRST AFFIRMATIVE, AVRA MELVIN WARREN, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Ladies and Gentlemen: The political interests of the United States demand the abandonment of the Monroe Doctrine. The political interests of the United States, what are they? By the dictionary meaning they are those interests that affect our relationship with other countries, countries not only in America, for we are not merely an American power, but the countries of the whole world, for in the last twenty years the United States has become a world power. The political interests of the United States, then, are those interests that affect our relationship, as a nation, with the rest of the world.

And now the Monroe Doctrine, what is that? In the first place it was a two-fold declaration by President Monroe in his annual message of 1823. The Latin American colonies had recently revolted from Spain and had declared themselves independent republics. The United States had recognized the infant states and now



regarded with grave alarm the Holy Alliance, a coalition of European powers made to put a check upon revolutionary initiative, a coalition not improperly accused of having designs upon the democratic form of government, a system then considered a grave menace to the time-fostered monarchy. One very probable intention of this alliance was to re-conquer the new American republics. It was to meet this condition of affairs, the intervention of European powers in America, that President Monroe was moved to declare the policy of European "non-intervention" and "non-colonization" in American affairs. So the original Monroe Doctrine was declared at a certain time to meet a certain condition.

Are conditions the same now that they were then? Is Europe now ruled by powerful monarchical systems? Is democratic government the bugaboo it was in 1823? Are the Latin American republics the puny infants they were in 1823? Is the United States of to-day the United States of 1823? Has the Monroe Doctrine, the so-called gutta percha doctrine, been able to stretch enough to cover changing conditions?

The world has changed; America has changed; the Monroe Doctrine has changed; but it is still the same world, still the same America, and the Monroe Doctrine, though terribly misshapen and disturbed, is still the Monroe Doctrine. In 1823 the United States was a struggling republic with a great unsettled territory drained by the Mississippi. From 1823 to the latter part of the 19th century the United States was occupied in developing a large territory and a union of states into a strong,

unified American nation, a nation with great wealth, powerful resources, and a unified and patriotic people behind it. But beginning with 1895 we ceased to be an American power. We acquired the Philippines, Guam, Hawaii, Porto Rico. From an American the United States had graduated into a world power. To protect its interests in the Pacific, to bind the parts of the nation closer together the Panama strip was acquired and a great interoceanic canal built.

Since 1823 the United States, then, has changed, but the Monroe Doctrine, what of it? During the seventy years of development into an American power the Monroe Doctrine was little changed. We not only admit, we truly believe, that up unto the end of this period, the Monroe Doctrine was a very satisfactory declaration of our foreign policy. But, with the advent of the United States among the world powers, the Monroe Doctrine had to change, in attempts to meet changing conditions.

In 1901 Germany had a claim against Venezuela on account of unpaid debts to German citizens. She served notice upon the United States that force would be used to make a collection, since there was to be no attempt at land aggression. The United States acquiesced. Germany, and England, another claimant, then blockaded the ports of Venezuela. At the end of a year when no agreement had been reached the United States induced Venezuela to settle the claims, and a court of examination was named. Santo Domingo, a small Caribbean republic with a population of about three hundred thousand blacks, had borrowed some thirty millions of dollars in



Europe. The interest on this money could not be collected. The European creditor nations threatened to seize the customs houses to force payment of the interest on the loan. The United States, then under the administration of Mr. Roosevelt, saw itself obliged to interfere. The Monroe Doctrine must be enforced. In order to do it we had to take charge of the customs houses and finances of Santo Domingo ourselves and pay the interest to the creditors, and at the same time allow the native government enough money to keep going. Behold the Monroe Doctrine in a new shape!

Nicaragua, a small Central American state, has given the United States a deal of trouble. Constant revolt has necessitated the presence of American marines and gunboats to maintain peace and uphold the Nicaraguan government. The Monroe Doctrine enforces such action upon the United States, although American citizens living in that country have been insulted and our consul there once was manhandled by a mob.

By obtaining the sovereignty of the canal zone in 1903 the United States was enabled to insure to herself the exclusive control of the canal. By nervous anxiety to secure the safety of the canal and of the great commercial interests created by its construction the United States was forced to stretch the Monroe Doctrine again. The Lodge resolution was passed in 1912, not only to cover attempts by non-American powers at territorial aggression in the Americas but all concessions to foreign corporations of bases of military or political value in the neighborhood of the canal. This principle has since

undergone great development. First, brought to apply to a Japanese corporation in its attempt to establish a harbor in Magdalena Bay, it has since been introduced into the treaties presented by Secretary Bryan to Nicaragua in 1913. It is the reason for federal opposition to negotiations under way between the governments of Colombia and Ecuador and an English corporation. This new principle of the Monroe Doctrine which forbids an American power to grant commercial concessions, excluding the question of its justice, does it not place a new and heavy burden upon the United States?

In 1913, in connection with the trouble in Mexico, President Wilson was moved to declare that no president of a Latin American country would be recognized by the United States unless he was chosen as such by a constitutional election. This means that the Monroe Doctrine fixes the moral obligation of the United States with respect to world politics, as, first, acting in the capacity of trustee for non-American nations in their just claims upon the Americas, second, as guardian of the public order in the Americas, and of the democratic institution upon which this order is assumed to rest. Thus the Monroe Doctrine has become a distorted, misshapen body, but it is still the Monroe Doctrine.

The addition of new principles to the old doctrine have been simply desperate attempts to make the Monroe Doctrine develop with the United States, but the changing conditions demand a real progression from the Monroe Doctrine. In the recent period of the United States' position among the world powers there is abundant evi-



dence shown that we are trying to make an outworn instrument fit new and strange conditions. We must retain the Monroe Doctrine as it is or as it may be further developed or we must abandon it as a stage in our evolution which is passed. The changed United States demands the abandonment of the Monroe Doctrine. At the time of the declaration of the doctrine we were a people in the first stage of national development. Since then we have graduated into an American power and a world power. The Americas are no longer isolated. This is a self-evident fact. Republican governments have nothing to fear from monarchies, for Europe today is a Europe of constitutionalism, a constitutionalism tending toward democracy. But this overgrown Monroe Doctrine, this burden upon the shoulders of the United States, is a serious incumbrance upon us as a world power.

We protested against European intervention in 1823, but in 1913 by the same Monroe Doctrine we delegate to ourselves the right of guardianship or intervention in the internal affairs of American states. The Holy Alliance and President Wilson both declare their purpose to put a check upon the revolutionary initiative. In 1823 we recognized and protected the sovereignty of the American states. In our present Monroe Doctrine we arrogate to ourselves the right of interference whenever we see fit. The Lodge development of the Monroe Doctrine in 1912 not only led us to take a position directly opposed to our policy in 1823 but caused us to adopt an attitude toward other American powers we

would not for one minute tolerate ourselves. Truly this Monroe Doctrine of ours has led us into many incongruities.

Our Monroe Doctrine in all its principles breathes the spirit of United States supremacy in America. This is an attitude that can not be applied to temperate South America, for the three great southern republics are powerful nations, which resent any such North American supremacy or superiority. We do not wish it ourselves; but, in spite of our wishes, our lumbering white elephant of a Monroe Doctrine has gotten us into rather severe difficulties with the greater South American countries. We have had to explain continually to Argentine, Chile, Brazil and Colombia, for our white elephant has stepped on their toes repeatedly and it hurts. In fact it still hurts, in spite of our apologies, for a white elephant has no light foot.

Our Monroe Doctrine means United States supremacy in Latin America. It makes it our duty to interfere in the affairs of the Latin Americans. To nations as powerful and wealthy as Chile, Argentine, and Brazil, nations whose friendship is so sought after in Europe, this attitude of supremacy, let alone the idea of intervention, has been a constant insult. Our apologies are ineffective so long as the cause of insult is not removed. So long as the Monroe Doctrine stands, so long will South America dislike us in spite of Mr. Roosevelt's late explanation. A changed world demands the abandonment of the Monroe Doctrine, because it is no longer necessary. Why keep a white elephant?



As we have shown, the world has changed since 1823. Nations to-day accomplish their purpose through arbitration, by international agreements and joint actions. Our position as a world power, our share in quelling the Boxer uprising in China, demonstrated the regard other powers have for us, and our ability to accomplish our purposes where our interests are concerned.

When there is no law in the land and a man is little and poor he must make a great show of force to keep more powerful men from stealing the corners of his possessions. When the time comes that the world is regulated by law and the weak man is great and powerful, a show of force is, to say the least, unnecessary.

Why then, ladies and gentlemen, should we keep this Monroe Doctrine, this white elephant, this former bluster made to meet conditions far different from those of to-day, which can only prove a source of embarrassment and complication, and which has already forced us into a position of asserting a supremacy and a superiority in American affairs against our desires. Why not abandon this outgrown Monroe Doctrine?

SECOND AFFIRMATIVE, M. H. LAUCHHEIMER, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Ladies and Gentlemen: Looking back, we have seen how the Monroe Doctrine has been led during the last quarter of a century on a merry chase by the development of the United States and the rest of the world. Encumbered by this policy, our presidents and secretaries of state during the last quarter of a

century have been evolving the doctrine into numerous and often ungainly shapes. Not only have the changed and changing conditions made the Monroe Doctrine a restriction upon our free action as a world power and a burden unnecessary to be borne by us, but also the passage of time with its accompanying development in every other organism on this world has made the burden of the Monroe Doctrine too onerous to be borne.

The gentleman from Virginia has already, quite unknowingly, cited you one incident, the Benton affair, in which the United States has been compelled to assume a responsibility which is far removed from our own interests. Likewise, in 1902, Germany applied to the United States about her interests in Venezuela; and, if our policy had been consistent — Roosevelt was then in office — if we had stood then as we stand now, would not we have been compelled to restrain Germany from her warlike action? Is this paramount responsibility to our political interests? Is it politically expedient for us to serve as Europe's international agent on this hemisphere?

In yet another way has the Monroe Doctrine become a white elephant on our hands—I was about to say stone about our neck. The Monroe Doctrine, though an organism, is an organism of the higher type, and is not able like an amœba to adapt itself to circumstances by splitting in half. Under this policy we are attempting to treat two entirely different classes of South American nations under the same inelastic rule. I do not refer to the oft repeated division between the more stable and



the less stable nations, but to that of the Caribbean countries and those farther south. Let us look for a moment at how the Monroe Doctrine hinders and restricts our actions toward these two dissimilar groups.

The United States to-day is not deeply concerned in the affairs of the southern Latin American states. Chile, Peru, Uruguay, Paraguay, etc., are no more closely connected with the United States than they are with Europe, but the United States is compelled by precedents to apply the Monroe Doctrine wherever European interests assert themselves upon these countries. If we wish to uphold the Monroe Doctrine and see it firmly established, we must emphatically intervene, whether our interests are harmed or not, should Europe interfere with these southern states. For instance, if Germany should get Uruguay to cede her a port, the Monroe Doctrine would be contravened and the United States be compelled to step in. We would then be in the same position that we were in 1895 when we risked a war with Great Britain because she seemed to be slicing off a piece of Venezuela's territory contiguous to the British colony of British Guiana. In such cases as this, our interests are not harmed, but, with the Monroe Doctrine chip on our shoulder, we stir up a row. Why? We are no longer a provincial nation risking the friendship of the world for the questionable pleasure of being cock of the Americas. We are a world power and our political conditions demand that we be freed from the oppressive burden of the Monroe Doctrine in our dealings with Europe and South America.

Now as to the Caribbean sphere, let us see where our Monroe Doctrine has led us there. The United States, especially under the last three presidents, has taken it upon itself to become deeply concerned in the internal affairs of these little states. To avoid the danger of any European power stepping in to effect some kind of peace in these effervescent states, our presidents have conceived it to be their duty under the Monroe Doctrine to stick the first finger into the mess. This right and duty has been acknowledged by Europe and we are in the onerous position of Central America's keeper. We must maintain a close watch upon the internal affairs of these little states and use our navy as the policeman of this hemisphere. Again the burden is too great and too thankless. Again we are compelled to use our resources for the maintenance of this unwieldy white elephant, the Monroe Doctrine.

Furthermore, in thus attempting to treat this heterogeneous mass, we have stirred up the anger of the South American nations. We have incurred the wrath of those states which deny our right to patronize them by adopting under the Monroe Doctrine a sort of fatherly manner. The indisputable fact is that, to the Spanish American, the Yankee is no longer one to be desired as a bosom friend. This hatred is to be traced directly or indirectly to the Monroe Doctrine. To cite instances wherein this hatred was manifested would be to consume time with an endless iteration of similar facts with different titles and dates. Suffice it to say that such estimable periodicals as the *North American Re-*



view and the *Edinburgh Review* cite two or three antagonistic newspapers in every article on the subject — and these articles are not few in number. Whether this hatred is justified or not, I shall not attempt to discover. It is sufficient that it is present and attached to the name of the Monroe Doctrine. Is it not evident, therefore, that the Monroe Doctrine is operating to frustrate the very end which it was intended to promote, pan-American friendship? Can we hope to gain the good will of Latin Americans when we compel these countries by force of superior might to accede to our demands, when we act as Europe's intermediary, when we in a spirit of braggadocio assert that we are supreme on this hemisphere? No, ladies and gentlemen, the United States is every day forcing South America closer to Europe to which it is already so close. Have we not already mistreated Colombia sufficiently to give her ample cause to enter voluntarily and of her own initiative into an alliance with Germany, an action which is surely not in contravention of the Monroe Doctrine. This is by no means a grotesque figment of the imagination. It is a most probable possibility. What is more, it does not stand in a class by itself. Almost every South American nation looks with more than friendly eyes upon an alliance with a European country. You can see where this will all end. The United States will be left high and dry shouting to Europe to keep out of South America and to stop oppressing her when these two continents are the closest friends imaginable, bound together by treaties whose main object perchance is to protect the Latin

American nations from the aggressions of the United States.

Then, if we wish to obtain what is most to our interests we must not be led willy-nilly into undesirable positions by what our ancestors conceived to be best for us. We must throw off this Monroe Doctrine and adopt some plan better suited for problems of the present day. Let us not worship this policy as an organism merely because it has been in existence for ninety years. Let us rather beware of it on account of this very fact, for conditions have changed and the Monroe Doctrine has not displayed enough elasticity to embrace these new conditions. It does not merit the comparison with the Constitution which the first speaker has bestowed upon it. Far from being elastic enough, it has furnished us with a binding precedent which has become detrimental to our welfare. In our dealings with Latin America to-day, we must consider primarily our own interests. There is perhaps in the background the specter of European invasion and control, but, as has been shown, this specter has of late become most harmless and of a most retiring disposition. To-day the Monroe Doctrine is primarily a policy governing our relations with Spanish America. As such, it has become a burden, a binding precedent. Let us adopt some scheme wherein we can treat each Latin American dispute on its merits as it arises, acting in company with the whole world when the question at stake is of worldwide importance, with other American countries when the question is merely of continental importance, and by ourselves when we

are primarily concerned. But let us not be committed to a definite action by some over-estimated rule or doctrine.

The United States stands now in the third period of its development. In 1790, it was a people struggling for existence and continuance. By 1823, it had become firmly established but required freedom from nearby restraint. Then it set forth the Monroe Doctrine. For the last quarter of a century, it has been a world power, self-sufficient and self-reliant. So also, the South American countries in 1823 were peoples struggling for existence who welcomed the aid of the United States as we did that of France in a similar period of our existence. Of late, these countries have developed into firmly established nations, requiring freedom from restraint. The Monroe Doctrine, for the first half century of its existence a well nigh perfect instrument, has now developed into a misshapen dogma in its endeavor to keep pace with the parties it is serving. It has outlived its serviceableness. It has not partaken of the immortality and elasticity of the nation. It has become cumbersome, unnecessary, onerous, and undesirable. The political interests of the United States demand that we be freed from the burden of this foreign policy, of the Monroe Doctrine.

FIRST AFFIRMATIVE REBUTTAL, M. H. LAUCHHEIMER,
JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Ladies and Gentlemen: You have just heard what a calamity it would be if Germany should

get a port in Uruguay, and you have been exhorted not to allow our country to abandon the Monroe Doctrine. since, if we should be so foolhardy as to allow Germany the privilege of such a port, England and France would also extend to this country and eventually menace us. Have the gentlemen from Virginia forgotten that there is such a thing as the balance of power, and that there is in Europe an off-setting of the Triple Alliance by the Entente Cordiale? We have very little to fear from an extension of Europe on this hemisphere. Germany, Austria, and Italy are restrained by England, France, and Russia so that there is little danger of any of these countries being allowed to expand towards the New World. In fact, they have their hands full with colonial affairs in another direction, Russia toward the East, Germany and France toward Africa and Asia, while England is restrained by the vulnerability of Canada. We do not need the Monroe Doctrine to keep Europe out of South America. She will keep herself out very effectually. But, it has been said, we can not let Japan enter Uruguay because that would make it harder to keep her out of Mexico. The logic of this is devious to say the least. We have no interests contrary to allowing Japan to obtain a port in Uruguay (why she should want one there we don't profess to know) and it is colossal nerve on our part to say that she cannot land there. As to Mexico, on the other hand, our interests are of a vital nature, and we have full right under international law to intervene whenever our interests are threatened. We need no Monroe Doctrine for this right; it



is ours by law. The Monroe Doctrine compels us to step in when we have absolutely nothing at stake, and to put ourselves in perilous positions for a mere name.

This doctrine, moreover, gains us the ill will of Latin America. You have been told that the Monroe Doctrine is not the cause of this disaffection, that it is the poor step-child upon whom is put all the blame for all misdeeds. It is immaterial to us whether the Doctrine is the just cause of this hatred. It is sufficient that it is ascribed to the Doctrine. That it is ascribed to the Doctrine — witness Roosevelt's apologies, witness the newly published book of President Pena of Argentine, in which he denounces the Doctrine, and witness the words of President Frero of the Museo Social at Buenos Aires who, in welcoming Roosevelt to speak on pan-American amity, said that the indisputable fact is that, in spite of the writings of some publicists, to the average South American the Monroe Doctrine is the recipient of utmost antagonism. And it is not so strange that these Latin Americans should resent the paternalism of our "big bully nation." Would we not have acted in a similar manner if France had continued its fatherly, guiding attitude after the Revolutionary war? The Monroe Doctrine which the negative has been telling us we should uphold altruistically for the southern countries is sorely disliked by these very countries. Is it desirable to keep this white elephant under these circumstances?

Going a step further, the gentleman from Virginia has said that the United States should maintain this Monroe

Doctrine in the interests of humanity at large. He has proclaimed in a loud voice that the United States should stand as the protector of Spanish America against the blood-thirsty, money-mad nations of Europe. This is a rather novel position for us to assume — to protect southern debtors from the avaricious justice of Germany, let us say. Are we really the only state on this globe which has enough sense of justice to act as policeman for civilization? I am perfectly aware that I can not wave the flag like the speaker who preceded me, but I do not think that I am less patriotic than he, yet I would not have the temerity to say that the United States is the only world power with a conscience. It strains the imagination too much. Moreover, it is contrary to facts. At The Hague in 1907, England stood by us in almost every convention we proposed to protect the lesser powers, and France was not often failing with her support. Certainly these nations are not rapacious barbarians! Moreover, there were conventions permitting a third party to offer its services of mediation to two belligerent parties adopted at this same conference. Surely this is not savagery! Now the United States has the right to assume this responsibility whenever it sees fit, that is, if we were not compelled by the Monroe Doctrine. Without this Doctrine we could fulfill all of our duties to mankind as well as we wished to fulfill them. We would not be compelled to enter into uncomfortable positions. We would not incur the ill will of South America for no profitable reason. We would share the responsibility as it should be shared,

and our country would be freed from the cumbersome, unnecessary, onerous, and undesirable weight of this ungainly foreign policy. Is there sufficient reason not to abandon it?

SECOND AFFIRMATIVE REBUTTAL, AVRA MELVIN WARREN, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Ladies and Gentlemen: Our opponents have seen fit to beguile you with jokes and stir you with appeals to your patriotism. But I know that you did not come here to be told funny things; you did not come here to see the flag wave and to hear the eagle scream; you, ladies and gentlemen of North Carolina, did not come here to be told of the beauties of North Carolina viewed from a Pullman car window. If I thought that you came to hear these things I would have had a try at them myself. But I believe you are here to listen to a plain, earnest discussion of facts, facts about the Monroe Doctrine, its past, and its present. You wish the facts plainly stated in order that you may arrive at a safe conclusion as to what is to be done with the Monroe Doctrine. And, ladies and gentlemen, knowing these to be your wishes, we have tried our best to gratify them.

Our opponents declare that the Monroe Doctrine is winning adherence in Europe, and cite as authority some newspapers and an English duke. You know that a newspaper is no authority at all in regard to a question such as this, and as for the duke in the case, he may be an authority on horses and hunting dogs, but as a states-

man and a publicist we must express a total ignorance even of his name. But if you wish to hear authority permit me to call to your attention Doctor Herbert Kraus, the eminent German specialist on American political questions. His book, "Die Monroedoktrin," published in 1913, is declared by the *Edinburgh Review* to be an excellent and exhaustive discussion of the subject. Dr. Kraus shows the Monroe Doctrine is outgrown, unnecessary, and the cause of Latin American dislike for the United States.

Our opponents declare that the people of South America love the United States, love the Monroe Doctrine, and give as their authority more newspapers. But Doctor Pena, President of the Republic of Argentine, as renowned a scholar as he is a statesman, in his book published very recently says, "The Monroe Doctrine is a gutta percha organism, an interesting anachronism, a wornout relic." He thinks it is unnecessary and believes it is the cause of an almost universal Latin American dislike for the United States.

The gentlemen of the negative spoke often and disdainfully of "imperialism," but, if you do not mind that, I can endure it. Since they did not connect "imperialism" and our side of the discussion it would not do for me to waste your time by doing it. However, the gentlemen of the negative did quote a large number of eminent authorities in the United States to the effect that the political interests of the United States demand that the Monroe Doctrine be retained. Authority is naturally historical and to be safe in its opinions has to lag

behind the march of events from fifteen to twenty years. We admitted in the first place that the Monroe Doctrine was satisfactory until twenty years ago, and the authority that the negative has brought forth, with one exception, proves our admission is true. The one exception is Mr. Taft, and as he played such an active part in changing the Monroe Doctrine to meet changing conditions it would be foolish to expect him to change his own work.

Our contention that the Monroe Doctrine is not only unnecessary but also is a burden upon the United States, stands as we have tried to prove it. The political interests of the United States demand that it go. Our country is a great world power, but patriotism demands that it be a greater power. To gain that end it must be free from all that is unnecessary. It must be relieved of every thing that burdens it. As true Americans you wish our country to go freely onward to satisfy the needs of all humanity, and, desiring that, I ask you to believe with me that the political interests of the United States do demand the abandonment of the Monroe Doctrine.

JOHNS HOPKINS UNIVERSITY vs. *UNIVERSITY OF NORTH CAROLINA*

FIRST NEGATIVE, CARL JEFFERSON WEBER, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The first speaker from North Carolina has told you what they regard as the meaning of the words "the Monroe Doctrine." The negative does not absolutely

agree to this definition, but for the moment we shall pass over it, and will return to it later.

In the speech we have just heard, you have listened to a plea for the abandonment of the Monroe Doctrine, and before the evening is over, you are going to hear several more attempts to convince you that our political interests demand such an act. But, ladies and gentlemen, do not for a single instant suppose that this demand for abandonment of our long established policy is a strong one. What is its source? So far as we have been able to discover, there is only one publicist of authority who wants the Monroe Doctrine abandoned. He is Dr. Hiram Bingham of Yale University. Dr. Bingham is a geographer or explorer, not a student of international politics. His little red volume under the ambitious title, "The Monroe Doctrine an Obsolete Shibboleth," marshals in a labored fashion many press opinions and anonymous statements, absolutely unauthenticated. Dr. Bingham's book is a piece of special pleading, which is not convincing on account of this anonymity; and, as for the several newspaper and other opinions which he quotes, they show nothing more than do the occasional writings and speeches of anarchists and atheists. There will always be a few persons in the world who will not believe in the law of gravity. Dr. Bingham has found those who adopt a like attitude toward the Monroe Doctrine. His volume, together with the opening of the Panama Canal, and acute Latin American problems, has called forth a voluminous discussion of the Monroe Doctrine. It is a strange and noteworthy



fact that, in all the discussion, Dr. Bingham remains alone as the sole reputable advocate of abandonment. Everybody else is on the other side.

Let me bring you some opinions on the question. Ex-President Taft says, "The Monroe Doctrine, in the first place, is essential to our national safety and well being. Self-preservation is the first law of nations as well as of nature. In the second place, we owe it to our weaker neighbors to shield them from foreign aggression." Ex-President Roosevelt says, "So far from the Monroe Doctrine being dead, I think it is a great deal more alive than ever before." At the Clark University Conference last fall, speeches were made on this subject by professors, diplomats, and publicists, and it is a striking fact that not a single speech was made for the abandonment of our famous doctrine. At the meeting of the Academy of Political and Social Science, held the first of this month (April 1914) in Philadelphia, there was a complete unanimity as to the necessity of retaining the Doctrine. There was no advocacy at all of abandonment.

So much for American opinions. Let us turn to Europe. In 1903, the Duke of Devonshire officially announced: "Great Britian accepts the Monroe Doctrine unreservedly." In 1911, Sir Edward Grey, Foreign Minister, declared in the House of Commons that England officially recognized the Monroe Doctrine. Last month's *London Spectator* states that "Great Britain sincerely desires to respect the Monroe Doctrine." One of the most eminent of living Englishmen, Lord High

Chancellor Haldane, has expressed his confidence in the integrity of our country and complete faith in the Monroe Doctrine. Mr. Maurice Low, the well known English correspondent, writes that "one can not lightly conceive the time to come when juries will be abolished any more than one can imagine the spontaneous abandonment by the American people of the Monroe Doctrine as their policy."

Germany has never made such an explicit acceptance of the Doctrine, but in the correspondence with the United States in 1902 over the Venezuelan claims, she assured this country that if there was any intervention or exercise of force, it would not be with the view of permanent occupation or the control of the political destinies of Venezuela. What is this but an acceptance of the Doctrine? Turning to France, we find the well known journalist, Dr. Marvaud, completely ignoring the suggestion of the abandonment of the Monroe Doctrine, while M. Henry Lorin, writing on "Les Etats Unis et l'Amerique latine," declares that the Doctrine "has protected Latin America from European violence and has been an assurance of military and territorial order."

Our opponents have quoted you a few South American opinions. If we merely wished to match authorities in this debate, we could quote just as many opinions on the other side of the question. Señor Zabellos of the Argentine Chamber of Deputies says, "The Monroe Doctrine is necessary to-day to the United States." Señor F. Garcia Calderon, a Peruvian diplomat, writes: "Far from growing antiquated and disappearing, Monroeism



is winning new adherents." Mr. Oliveira Lima, a diplomat of Brazil, recently declared that, "the Monroe Doctrine is a useful instrument to the whole American continent." Mr. S. P. Triana, a Columbian diplomatist, calls the Monroe Doctrine a "a gift in the cradle of liberty." An Argentine newspaper, *La Argretina,* calls it "the safeguard of American interests."

I have quoted these statements, not as authorities, for we are quite ready and even anxious to let the Monroe Doctrine stand solely on its own merits. I have cited these quotations merely to show the universal acceptance of the Doctrine. The United States, Europe, and Latin America are unanimous in their opinion. As I already said, Professor Bingham is practically the only source of the demand for the abandonment of the famous Doctrine.

Surely there must be some reason for such unanimity of opinion. On what principle was the Monroe Doctrine originally based? Why has it lasted for nearly a century? Why is there no disposition on the part of the American people to repudiate it? Why has Europe either tacitly acquiesced or openly approved? Why are South American diplomats so warm in their praise of the Doctrine? There is one answer to all these questions, and it is an answer which is unanswerable. The Monroe Doctrine derives its validity and secures its justification from the universally accepted principle that "Every state possesses the right to resist acts of another state toward a third party which are a menace to its own safety, peace, and welfare." Let me repeat it. "Every state pos-

sesses the right to resist acts of another state toward a third party which are a menace to its own safety, peace and welfare." This is merely the law of self-preservation. Admitting the truth of this proposition, you must necessarily admit that every state has the right to announce it, to say that it will not permit acts of another state toward a third party which are a menace to itself. Can there be any objection to this? Can it for one moment be doubted that the United States, or any other nation, has the right to resist acts which are hostile to its own well-being? Yet this, first and foremost, is what the Monroe Doctrine means. It is simply a declaration of this inherent, inalienable right, which must be preserved, if national existence is to continue.

The advantages which follow from the statement of this right are apparent enough. Briefly, the Doctrine is still serving the very purpose for which President Monroe originally announced it. His statement of the Doctrine included two positive objects: first, to forbid European colonization in America, an act of self-protection; and second, to protect American republics from European oppression or control, an act of altruism toward our weaker neighbors. It is this policy that our opponents would have us give up. Have conditions so changed that European colonization would no longer be offensive to us? It is a mistake to believe that the Monroe Doctrine has served its purpose and is dead. As Mr. Roosevelt says, that Doctrine is more firmly fixed in the American heart to-day than ever before. Our national interests demand our opposition to any

European colonization in the New World, and the Monroe Doctrine merely states the fact. It thus prevents Europe from reaching out greedy hands toward the New World. The instinct for spoils has once again been established among the great European nations who are sharing the plunder at Tripoli, Morocco, and South Africa. If their ambition does not look with envious eyes upon Latin America, the reason is that there is a Monroe Doctrine which opposes it. This European imperialism, says Professor Münsterberg of Harvard, feels its hopes thwarted by the protection which the United States persists in granting to the endangered republics. South America is thus saved from becoming a reproduction of Europe, with its excessive armaments, its struggles to preserve the balance of power, and its spirit of international jealousy and suspicion. The weak states of Central America are saved from entangling alliances with Europe, and intercontinental warfare is avoided. And at the same time and in addition to these important advantages, the United States is protecting its own interests, avoiding dangerous neighbors, keeping out of European broils, and obviating the necessity of maintaining burdensome armies and costly navies. Moreover, the building of the Panama Canal has greatly increased our interest and responsibility in that region. The canal is ours, but ours only to use for all the world. We should be false to our trust if we were to allow any one to destroy the canal, to injure or misuse it. The Monroe Doctrine is needed to protect us against such possibilities. The reason, then, for the striking una-

nimity of opinion which I have already pointed out is that the Monroe Doctrine is effectively preventing all attempts at European colonization, oppression, or control in America, is preserving the New World from entangling alliances with Europe and from over-armament, is keeping the United States out of European broils, is avoiding intercontinental warfare, and is protecting the Panama Canal. It would, indeed, require very great and weighty objections to the Monroe Doctrine to over-balance such important and far-reaching advantages as these.

There is yet another difficulty which our opponents must face. The negative believes that, in view of the practically universal acceptance of the Monroe Doctrine and its official recognition by the greater European powers, it is extremely doubtful whether the United States could abandon the Doctrine, whether we would be allowed to do so.

Great Britain has quite a bit of territory in the Caribbean Sea near the Panama Canal; so also have Holland, France, and Denmark. Now if the United States should, by the abandonment of the Monroe Doctrine, practically issue an invitation to the world to colonize and satiate its land hunger in America, Great Britain would have to concentrate a naval force in the Caribbean. Holland and France would have to look out for their colonies, and Germany would also enter the field. At present, these European powers have such confidence and trust in the United States and in the wisdom of its long established policy, that they rest secure in the conviction

that there will be no aggrandizement upon their colonies. Thus the Monroe Doctrine, announced and supported by the United States primarily for our own interests, indirectly but successfully operates to protect all colonies now in existence. With the opening of the Panama Canal, the isthmus and the Caribbean will become a sphere of conflicting and competing European interests. These interests will be dangerous, however, only if the Monroe Doctrine is given up. At present the Caribbean is a peaceful sea. With European interests all about, the United States, without the loss of life, without the expenditure of a single dollar, has simply by moral force kept peace and stability. What would be the result if every nation had to protect its own possessions? Naval bases and coaling stations would multiply all around the Panama Canal, immediately upon the abandonment of the Monroe Doctrine.

The European powers have to do one of two things: they either are or they are not willing for the United States to abandon the Monroe Doctrine. If they show unwillingness to have us abandon our long established policy that shows that the Doctrine is doing good work, and this in itself is sufficient reason for its retention. If, on the other hand, the nations of Europe would be willing to have us give up the Doctrine, it would show bad and selfish motives on their part, and it is precisely to prevent the execution of just such motives that the Monroe Doctrine was originally announced. Either way you look at it, the conclusion is that we must retain the Monroe Doctrine.

But granting, for the moment only, that we might be so foolish as to wish to abandon the Doctrine, how would we go about it? Our opponents, ladies and gentlemen, will try to make you believe how delightful it would be if the Monroe Doctrine were no longer in existence, but thought must also be given to the ways and means of getting rid of the Doctrine. We can not get into this delightful absence of the Doctrine until we have first accomplished the act of removing it. The word "abandonment" in our proposition has a definite meaning. We can not simply allow the Doctrine to die a natural death by refusing to uphold it when it is infringed. Nor can we in secret decide to do away with it, and quietly bury it in some political grave-yard in the dead of night.

If we are going to abandon the Monroe Doctrine, we must do it openly and formally. We must let the world plainly understand that we have cast aside this "obsolete shibboleth." Who ever heard of such a ridiculous action? We want to ask our opponents to name for us a single instance, in all the long range of the history of the whole world, in which a national policy, as old and as well established as ours, has been voluntarily given up, at such a critical moment as we are now in. No country would ever think of such an action. What method would we use? Should we abandon the Doctrine by a presidential message such as that in which it was first announced? We might just as well have President Wilson write to the Kaiser and invite him to [illegible] in America, or to King George and tell him

that we are no longer interested in whether he oppresses or controls weak American states or not.

In conclusion, then, because of the inherent advantages of the Doctrine, which have given it unanimity of support everywhere, and which arise out of the universally recognized right of self-preservation, and because of the impracticability of abandonment, we maintain that the Monroe Doctrine must be retained.

SECOND NEGATIVE, LINDSAY ROGERS, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: Much, if not all, of the discussion thus far this evening has been very general in character. This may in part be attributed to the fact that the Monroe Doctrine can not be so clearly defined that all will acquiesce in the statement offered; but the fact that we have been hearing of abstractions about inequality of nations, the unwarranted hegemony of the United States, and the restlessness of Latin America under tutelage, is due in great measure to the refusal of the affirmative to consider concrete cases which might result should the Monroe Doctrine be abandoned. The refusal thus to enlighten us is excusable because, when "we come down to brass tacks," the absurdity, the fallacy, and the danger of abandoning the Monroe Doctrine become many times more evident. Let me, therefore, consider a contingency which is not unlikely and of which significant rumors forced action by the United States no longer ago than yesterday (April 17).

Writing in the *Nineteenth Century* magazine three years ago, Sir Harry Johnston, a distinguished British publicist, said that a few months previously Denmark had been forbidden to sell one or more of her West Indian Islands to Germany as a depot for the latter's fleet in the New World. I have no means of knowing whether such a sale was ever projected. It would have been entirely natural. Germany would like nothing better than a coaling station and naval base in this hemisphere, and Denmark's possessions are not so important to her that a fair selling price would be prohibitive. But, if the transaction had taken place, it would have been contrary to the Monroe Doctrine, no matter how we define this policy which to the opposing gentlemen is so irksome and even elusive. Such a transaction, moreover, would have been justified by international law. No international court would have refused Germany the right to buy, and Denmark the right to sell. The interests of the United States would, in this particular case, have been materially and seriously interfered with had only international legal rights been considered, and had the Monroe Doctrine not been an effective bar. For, it will bear repeating, the Monroe Doctrine, while not international law, goes farther than does law; it says that legal rights shall not be exercised when in so doing the contracting countries will act in derogation of the security, potential peace and welfare of this nation. In the hands of Germany, a Danish island near the Panama Canal would be a constant menace. Our feeling of security would be no more. It is a question of

might, if you will, but it is a kind of might that makes for peace. Had not the Monroe Doctrine, the established policy of the United States for over three generations, given this country the support of precedent and consistency in its attitude, the sale might have been consummated, and then the United States would either have had to object by force, or would have been compelled to put up with a constant menace, a smouldering flame that might at any moment break forth into a blaze, an ever present *causa belli*. That such a characterization is not at all extravagant is proved by the attitude of the United States Senate which only yesterday refused to conclude a general arbitration treaty with Denmark. The reason was that under its very broad terms we might be compelled to arbitrate the question of such a sale. The Senate insisted that before ratification the language be so modified that the Monroe Doctrine would act as a perpetually effective bar and the United States would never be compelled to enter an arbitral court for the settlement by law, contrary to our interests, of a question of such vital import.

But let me take another, and perhaps, a more important illustration. At the present time there is pending between the United States and Nicaragua a very important treaty, which has been ratified by the Latin American nation but not by the United States Senate. The minor details of this instrument are not pertinent, but the essential provisions, as I recall them, are these: Nicaragua promises that its independence will not be impaired by a foreign alliance; that no power will be

permitted to gain a military control; and that public debts will not be contracted unless the revenues are adequate to care for the interest and a sinking fund. Nicaragua is, therefore, assured sound finances, for if experience in Porto Rico, Cuba, and San Domingo counts for anything, American commissioners will, if necessity arises, supervise the smaller country's fiscal affairs. On the other hand, the United States is to pay $3,000,000 for the exclusive right to all canal routes across Nicaragua (an important provision both in the security it will afford and its probable practical utility). The United States also secures the valuable concession of a naval base, and is given the right of intervention "for the preservation of Nicaraguan independence, and the maintenance of a government adequate for the protection of life, property, and individual liberty."

This treaty, however, has not been ratified. With the Monroe Doctrine abandoned, it never would be. The United States would have departed from its declared and adhered to policy of protecting itself by opposing foreign aggression in this hemisphere, and would be giving Europe an implied, if not an open, invitation to do what President Monroe, and succeeding chief executives have forbidden. We will suppose then, that Germany, seeing an opportunity to establish herself more firmly than would be possible with a Danish island possession, makes overtures to the Republic of Nicaragua. This, of course, is perfectly legal, but Germany goes a few steps farther than was proposed in the abandoned treaty with the United States. Germany gets the right to the canal,



the right to fortify it, the rights of sovereignty in the zone, a coaling station and a naval base. She constructs such a canal; fortifies it; amasses a fleet in the Caribbean. The United States with the Monroe Doctrine abandoned is estopped from interfering. The German fortifications menace our $400,000,000 Panama Canal. Yet, the action of Germany is perfectly legal. Any international court would adjudge it so. The United States by law and by declared policy would have to tolerate the ensuing menace, a thousand times more dangerous than the transfer of an island.

But what would happen? I am not a jingoist, Mr. President, but I have no hesitancy in standing here and solemnly declaring that the Congress has not yet been elected, the Senate has not yet assembled, and the President has not yet attained the constitutional age for his office who could remain quiescent and take no action. The American people, united as they always are in times of danger, in times of crisis, and before impending menace, would rise and thunder: "The Monroe Doctrine or no Monroe Doctrine, this can not be! This will not be!" And as inevitably, as surely as water searches an outlet to the sea, there would be a great German-American war. The bloody arbitrament of the sword would supplant the pacific and accepted bar of an established national policy. And, my friends, the outcome would not be so certain.

But how does this demonstrate the utility of the Monroe Doctrine? Not even the gentlemen from North Carolina, I take it, are so ardently in love with their side

of the question, are so unpatriotic or so insensible of the vital demands of national self-preservation, that they will argue, in such a contingency as I have suggested, the advisability of the United States acquiescing in the German aggression. But if the gentlemen admit that in this case the United States would have a right to resent an act so prejudicial to our peace and safety, it assuredly follows that the gentlemen must admit the right of the United States to proclaim to the world what its attitude will be in the event of such a contingency. That is, in its essentials, all that the Monroe Doctrine means. It is a declaration that our vital interests will be maintained inviolate.

And if I concede that a German-Nicaraguan alliance would not be inimical to the United States, I do not destroy the pertinency of my argument. It is a well known fact that great conflicts are precipitated, in many cases, not according to self-interest, but by reason of an inflamed public opinion which will not be stayed. The most recent conspicuous example is our war with Spain. If, therefore, one feels compelled to deny the danger of German aggression in Nicaragua, of German menace to the Panama Canal, as a cause for objection, he must admit that should the circumstances which I have pictured come to pass (and in the absence of the Monroe Doctrine the chances are that they would come to pass), the inflamed, irrepressible public opinion of American citizens would compel war, whether the government at Washington wished it or not.

Either way you feel about the contingency, therefore,



the Monroe Doctrine shows its efficiency. For, as long as it remains the policy of the United States, neither Germany nor any other European power would ever attempt to form a political alliance with a South or Latin American nation. That is the great and overwhelming merit of the Monroe Doctrine. It is the most potent force for peace the modern world has ever known. It has made the Western world one where war has had no place. There is needed only the most cursory glance over modern European history to note the striking contrast. What objection, then, can be made to a policy which makes impossible any foreign aggression, relegates war to the limbo of never to be arrived at casualties, and constitutes a great American contribution to civilization?

The Monroe Doctrine says in effect that in this hemisphere there shall be no makeweights in the balance of power, no pawns in the game of international politics, no fuel for an international conflagration. American nations may have disputes among themselves, but Europe must be kept outside. The neighborhood of disputes, as of fire, is perilous, and non-intervention by Europe to control the destinies of an American nation means that the area for differences not justiciable in their nature is kept small. The Old World is warned that the United States will view with hostile and avenging demeanor any infraction of its established policy. Hence, we see no attempts to break into Latin American affairs and there is consequently no danger of conflict. Interests can not suddenly become seriously involved,

and the chances, therefore, of a European nation chafing under the restraint of the Monroe Doctrine and objecting are small. The interests of the United States in Nicaragua, however, in the continental territory and the islands at the gateway of the Panama Canal are vital, immediate, and permanent. Whatever lack of logic for the Monroe Doctrine ever existed by reason of our distance from Latin and South America has been eradicated by the important constructive geographical proximity which we have achieved through the Canal. President Monroe, in this respect, builded better than he knew.

But, it may be objected that I am dealing with the future and that prophecy, especially in international politics, is a dangerous feat. Concede this for the sake of argument and what then? There comes to mind one incident in which the Monroe Doctrine worked for peace in the manner which I have described, and in which it indirectly made a great contribution to the cause of arbitration. I refer to the Venezuelan claims dispute of 1902.

Germany, Great Britain, Italy, France and other countries you will remember had claims against Venezuela for some millions. Some of the creditors claimed preferential treatment. For a time it looked as if there would be a race to see who would get possession of the custom houses and reimburse themselves through force, since the Drago Doctrine was not agreed to until five years later at the second Hague Peace Conference. The German government informed the United States that it pro-

posed to take coercive measures, but His Majesty's Ambassador at Washington volunteered the assurance that "under no circumstances do we consider in our proceedings the acquisition or the permanent occupation of Venezuelan territory." A more explicit recognition of the Monroe Doctrine it would be hard to imagine. The right of the United States to be consulted on matters of concern in the Western Hemisphere was freely admitted. Negotiations went on. The good offices of the United States were offered and accepted. The President of the United States was asked to act as arbitrator, but he wisely declined and pointed to the Hague Court, thus doing as much for the cause of international arbitration as was done when in 1899 the permanent tribunal was established. By his action President Roosevelt practically saved the Hague Court. The award was made in 1904 and agreed to by all concerned.

Let the few Monroe Doctrine antagonists say if they will that the United States is made responsible for the conduct of the smaller states to the South. Let them say that the responsibility is accompanied by no benefits. I answer that a nation can not live by itself alone, and that such a contribution to civilization as was made by this country in 1902, in averting the use of force against Venezuela and possibly between the claimant nations, is of itself sufficient reason for maintaining the Monroe Doctrine in the hope that some day will see a repetition of this incident. This pacific settlement, moreover, was largely responsible for the first agreement upon the theory of compulsory arbitration, the Drago Conven-

tion limiting the use of force in the collection of contract debts, adopted at the Conference of 1907. Such a contribution to international law, presaging as it may the acceptance of the theory of compulsory arbitration in other fields, is also sufficient justification for the maintenance of the Monroe Doctrine. Nor must we forget that in the Venezuelan case the interests of the United States were subserved by Europe's keeping hands off and not acquiring territory, an act which might have plunged us into war at once, or if the danger had not appeared immediate, would have been an ever present source of irritation and possible future conflict.

The Monroe Doctrine, in concrete examples of its past efficacy, and possible future utility, thus appears as a potent force working in behalf of peace; as the source of a most important advance in the cause of international arbitration; as a guarantor that the interests of the United States will remain uninterfered with, and finally as a contribution to civilization which any nation, at a sacrifice, might be proud to make for the good of the world.

FIRST NEGATIVE REBUTTAL, CARL JEFFERSON WEBER, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: Our opponents, in their two speeches, have cited a number of opinions and authorities. Now if we wished merely to match authorities with them, we could produce a list even larger than their own. Wherever critics are divided and as many can be found on one side as



on the other, the statements of either one do not amount to very much. For this reason we prefer to let the Monroe Doctrine stand on its own merits. Whatever statements and opinions we ourselves have cited, have not been given with the view of proving anything by the mere weight of authority.

I would like to call your attention to some remarks which the affirmative has made. The first speaker proclaimed the Monroe Doctrine to be a policy of world-wide imperialism. The second speaker declares that it is a policy of strict isolation. These two views do not seem to coincide. Our opponents also said, "Let us get at the bottom of the matter with our trade relations with South America. . . . It is apparent that something is wrong." That is our view exactly. There is something wrong, and we are going to show you what is wrong. The word "something" can not be restricted to mean the Monroe Doctrine.

Our opponents say that conditions have changed and that the Monroe Doctrine is no longer needed. They tell you that the A. B. C. powers are stable governments, and are able to take care of themselves. They forget that this very stability rests on the protection afforded them by the Monroe Doctrine. Once you remove the Doctrine, can you for a moment imagine that Brazil would be any match for Germany, or Venezuela for Great Britain? The reason the A. B. C. powers are stable governments is that the Monroe Doctrine has made and keeps them so. Even if there is no probability of armed conflict that is no argument for abandoning

the Monroe Doctrine. No one destroys his umbrella because the sun is shining. The Monroe Doctrine merely states our attitude in case the remote possibility does take place. And when we consider recent disturbances in Chile, Peru, and Haiti, we can understand how probable it is that the Monroe Doctrine may be called into service at any moment. Even if there were no possibility of war or of European interference, the Monroe Doctrine could remain as a statement of our attitude toward aggressive acts by Europe.

After stating that the so-called stability of the A. B. C. nations frees them from the need of protection by the Monroe Doctrine, our opponents go on by implication to admit that such protection is needed by Central America, and then they try to get around this fact by saying that our interests in the Panama Canal will give us the right to interfere in that region. Now, if Central America needs protection such as is afforded by the Monroe Doctrine, or if we need to protect our own interests from their frequent disorders, what other reason de we need for retaining the Doctrine? It will serve as a blanket license covering all cases, and will give us the right to interfere immediately, whenever our interests are at stake. If we abandon the Doctrine, we shall have to prove the justice of our claims to interference in every individual case. Why should we abandon the Doctrine, when we still desire to accomplish exactly what it is accomplishing? No tailor throws away his scissors just because he is able to tear his goods.

Our opponents say that we ought to abandon the Mon-

roe Doctrine because it is stirring up ill-will in Latin America. We disagree with this statement. There is a certain amount of antipathy towards the United States, that we admit, although it has been greatly exaggerated. But this antipathy is due to other causes — not to the Monroe Doctrine. The United States is the object of ill will because of the consciousness of relative weakness on the part of the Latin republics; because of British and German merchants who keep saying to the South Americans, "Look out for Uncle Sam," in order to draw trade to themselves; because the leading cities of South America were the favorite resorts of our criminal classes as long as we had no extradition treaties; because American sailors have often gotten drunk when on shore leave; and because American railroad construction men have sometimes enjoyed themselves in similar fashion; and because many of our consuls are not the type of men to represent the United States of America; and because American business men have often behaved so as to lead South America to believe that our national motto is, "Make money honestly if you can, but make money." Senator Calderon, of Peru, tells of one of these men, who was told that the Supreme Court of the country opposed his project, and he, without further preliminaries asked, "How much does it cost to buy the Supreme Court?" When some one spoke to an unscrupulous banker of the honesty of certain judges, he retorted that honest people always fetch higher prices than others. These are the true causes of the antipathy which is felt in South America for the United States. And yet our

opponents are short sighted enough to wish to lay the blame for this antipathy at the door of the Monroe Doctrine. It isn't rational, to say the least. Does it seem reasonable to you, ladies and gentlemen, that South America should at all resent our saying to Europe, "If you colonize in America, or if you oppress or control our weak republics, we shall consider it an unfriendly act?" I ask you, does it seem reasonable? At least, I am sure that such is not the kind of reason we use in Baltimore. Yet this is the contention of our opponents. And they go on to assert that this antipathy and ill-feeling would be remedied by the abandonment of the Monroe Doctrine. I tell you, ladies and gentlemen, that such an act would accomplish no good at all. If we want to improve our relations with South America, we must become better acquainted with each other, our colleges must establish scholarships for South American students, exchange of professorships must be arranged, better press service established in the Latin countries, honest and upright business men must be sent out who can adequately represent our country, the actions of our sailors and railroad construction men must be regulated and we must not send so many drunkards and poker players to occupy our consular offices. When we have done all this, the misunderstanding which now exists will disappear. Don't blame the Monroe Doctrine for something for which it is not to blame.

Some of you in the audience may feel like shaking your heads and saying, "Well, that's all very true, but the antipathy is there just the same." Well, suppose it



is there, and suppose — remember this is just a supposition — suppose this antipathy is the direct result of the Monroe Doctrine. What difference would that make? Why should that affect us? Do we wish to abandon all form of government because of the complaints of anarchists? Will you all stay home from church because of the arguments of atheists? Just because of the wails of some disgruntled South American editors or disappointed politicians, are we to give Europe the chance to do them even greater injury than they, in their delusion, fear from us? What do we care about antipathy? "Let the heathen rage and the people imagine a vain thing." So long as we know that we are right and that the Monroe Doctrine is a good thing, we are going to stick to it, whether South America likes it or not.

SECOND NEGATIVE REBUTTAL, LINDSAY ROGERS, JOHNS HOPKINS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The time has now come to attempt a criticism of the description given the Monroe Doctrine by the opposing gentlemen. As is only natural, it appears that they have considered the policy in its worst possible light, and have extended it to limits sanctioned neither by precedent nor by logic. The familiar phrases of President Monroe declared against further colonization in the Western World by European nations, put the ban on interference with, and oppression of, existing colonies or independent states, and promised to tolerate the prin-

ciple, "Europe for Europeans," not necessarily as a quid pro quo but simply as a matter of policy dictated by national interest.

Since the original announcement, the Doctrine has been considerably amplified. When, at the close of our Civil War it received one of its most triumphant justifications, it was never mentioned by name in a communication to France or Great Britain, and Napoleon III's hopes for a Mexican Empire were shattered by our adherence to the principle that "every state possesses the right to resist acts of another state toward a third party which are a serious menace to its own safety, peace, and welfare." But, as we have reiterated, this is the Monroe Doctrine in its essentials.

The Venezuelan boundary dispute saw the Monroe Doctrine perhaps unwarrantedly stretched when Secretary Olney went so far as to declare that the United States was "practically sovereign" on the South American continent, but in 1904 President Roosevelt restated the Doctrine in unmistakable language, and his definition is the last word on the subject. Neither by pronouncement nor by action has this country since made any material advance.

While the South American republics obey "the primary laws of civilized society they may rest assured that they will be treated by us in a spirit of cordial and helpful sympathy," said President Roosevelt in his message. "We would interfere with them only in the last resort, and then only if it became evident that their inability or unwillingness to do justice at home and abroad



had violated the rights of the United States or had invited foreign aggression to the detriment of the entire body of American nations. It is a mere truism to say that every nation, whether in America or anywhere else, which desires to maintain its freedom, its independence, must ultimately realize that the right of such independence can not be separated from the responsibility of making use of it."

So far, let me hasten to add here, the Monroe Doctrine is not directly involved in the Mexican imbroglio. President Wilson has not, either in his speech at Swarthmore, at Mobile, or in his messages to Congress, made any reference to our established policy. So far as this argument is concerned, the Monroe Doctrine is as President Roosevelt defined it. The Lodge resolution passed by the Senate in 1912 is not novel, and merely calls attention to one method by which the Doctrine may be violated.

But what is the responsibility accepted by President Roosevelt? I have already referred to the Venezuelan claims dispute, the part the United States played in a peaceful settlement, and the lasting contribution to the cause of international arbitration made at that time. With regard to San Domingo we also accepted the responsibility. Rather than see foreign creditors come in and foreclose, we preferred to look after the finances of the island and sent down an American economist as treasurer. There was no war, and the cost in money was trifling.

It is impossible adequately to conjecture what might

have happened had foreign nations interfered, but it is not unlikely that the United States would have been embroiled in war, or would have had a constant menace at her borders. Can we say, then, that the acceptance of such responsibility does not bring commensurate benefits? And even if the onus on the United States is great, we owe something, as I told you before, to the cause of civilization, and selfishness should not actuate the most enlightened nation in the Western World.

There is evolved, then, the simple proposition that the United States has not, and will not, interfere so long as the Latin American states behave themselves. When American property is endangered, and when American lives are threatened as was the case in Nicaragua during President Taft's administration, the United States will intervene. So also, we will interfere if by their attitude the smaller countries invite foreign intervention. Germany and Great Britain accept the Monroe Doctrine so implicitly that they consult us about their intentions, but our interests are so vital that it is distinctly to our advantage to take measures to insure good behavior on the part of Latin America, so that there will be no cause for European intervention, and, therefore, no possibility of a metamorphosis from the traditional peace to a bloody war in the Western Hemisphere.

And, finally, we must not lose sight of the fact that the Monroe Doctrine is two sided; that if we abandon this long established and abundantly justified policy in order to permit European interference, we will also

abandon our, for the most part adhered to, attitude of having nothing to do with the broils and flare-ups of Europe.

"The insidious wiles of foreign influence have not ensnared us," said Washington in his "Farewell Address," and the words should be just as convincing now as when uttered. We have nothing to do with the Balkan question, with the Moroccan imbroglio, with the dual alliance, the triple entente, the balance of power, or anything else distinctively European. Yet, and this is my final word, if we abandon the Monroe Doctrine, we must abandon this attitude, for the question says nothing of confining the discussion to exclusively American problems. Shall we, then, give up our security, our assurance of self-protection, our proud position as big brother in the Western World, and our century old attitude of having nothing to do with the war system of Europe?

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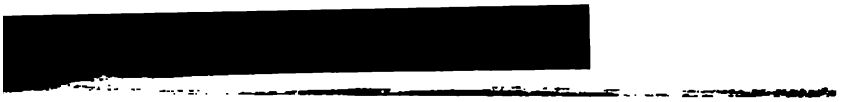
The most useful work in English is that by Professor Moore, who gives an impartial account of all the incidents in which the Monroe Doctrine has figured, the circumstances giving rise to its promulgation, and much of the diplomatic correspondence. The best account in short compass is that by Professor Coolidge, who

is, on the whole, rather favorable. All phases of the Doctrine and of our Latin-American policy are discussed in the papers read before the Clark University Conference (*Journal of Race Development*, January, 1914); the American Academy of Political and Social Science, April, 1914, and the American Society of International Law, April, 1914, not yet published.

Violently opposed to the Doctrine is Professor Bingham. Dr. Kraus is the author of the most complete work and is critical although not biased. Professors Blakeslee and Croly point out a number of objections, although the latter is only partially antagonistic.

Admiral Mahan furnishes the best arguments in favor of retention, although in the volume cited, the Monroe Doctrine figures only for purposes of illustration. Ex-President Taft's article in *The Independent*, since reprinted as a chapter of his volume on "The United States and Peace," is excellent. It is an effective critique of Professor Bingham. Ex-President Roosevelt favors retention and argues that the United States should interfere with Latin America only when these states misbehave themselves, or invite foreign intervention.

L. R.



FEDERAL CONTROL OF THE EXPRESS BUSINESS



FEDERAL CONTROL OF THE EXPRESS BUSINESS

MONMOUTH COLLEGE vs. *AUGUSTANA AND WILLIAM JEWELL COLLEGES*

Federal control of the express business of the country was discussed in annual debates between Monmouth and Augustana colleges of Illinois, March 27, 1914, and between William Jewell College of Missouri and Monmouth College, April 24. Monmouth College won both debates and on each side of the question by unanimous decisions. The affirmative of the first debate and the complete discussion in the second debate are given here.

The question was stated: Resolved, that the federal government should conduct the express business of the country. Constitutionality waived.

The Monmouth speeches were contributed in behalf of the debaters by Mr. M. M. Maynard, Professor of English, and the William Jewell speeches by Dr. E. C. Griffith, Professor of History and Economics.



FEDERAL CONTROL OF THE EXPRESS BUSINESS

MONMOUTH COLLEGE vs. *AUGUSTANA COLLEGE*

FIRST AFFIRMATIVE, HAROLD MC CONNELL, MONMOUTH

Ladies and Gentlemen: The express business is an American institution. Nowhere save on this continent does such an agency exist. It had its origin before the Civil War, when a conductor on the New Haven and Hartford Railroad carried packages from one point to another on his line for the convenience of patrons. Since that time the business has expanded until now, according to the report of the Interstate Commerce Commission, it transports 300,000,000 packages annually. The express companies fulfilled their mission well at first, but as is characteristic of all unrestricted monopolies their tendency has been toward less efficient and less economic service. The widespread dissatisfaction with the present system has led to agitation for a new plan, which it is the purpose of the affirmative to maintain this evening.

We wish it understood at the outset that we do not advocate government ownership of all public utilities. We are not forced to uphold government ownership of



railroads and telegraph, telephone and steamship lines. The arguments against these are applicable to this question only when it can be shown that they apply with equal or greater force to the express business. We are not compelled to uphold government ownership in all of its aspects. The general principle of government ownership is not on trial in this debate, but government ownership of the express business alone is the subject for consideration.

In seeking to determine whether the government should own and operate any public utility two questions naturally arise: 1. Is the government able to conduct that business more efficiently than private enterprise? 2. Would the administration of such a work be detrimental to the government itself? We contend that the government is able to conduct the express business more efficiently than it is operated at the present time. In order to do this it is necessary that we analyze the present system and find just where it is at fault.

The agitation against the express companies at present arises from two different sources. First, they do not render a service sufficiently economical, and second, they do not render a service sufficiently efficient. Because of their very nature it is impossible for the express companies to render cheap service. They are mere parasites. They have no capital except that invested in offices, delivery necessities, etc. Their chief investment is in the contracts which they hold with the railroads. Here they are entirely at the mercy of the railroads, as it is an absolute necessity that they obtain those con-

tracts. Instead of permitting them to pay by bulk weight, the railroads force them to give a percentage on the proceeds from each package. The injustice of this system on the long haul can easily be seen. Let us trace a package through the hands of a rate maker on both a long and short haul. Say he is billing a five-pound package from here to Kewanee, a distance of about forty miles. He puts down six cents for accounting, five cents for collect and delivery and adds two cents for profit, making thirteen cents in all. Now he must add to this the railroad's share. He must make this addition not according to service standards but according to the contracts which the company holds with the railroads. These call for forty-seven and one-half per cent. of the final rate. Twelve cents is then added for the railroad's share, making in all twenty-five cents for the entire distance.

Now take a hundred-pound package going from New York to the Pacific Coast. The railway is the important factor here, as it does the whole service, the express company doing practically the same as on the short haul. Six dollars and forty-one cents is put down for the railroad. But the railway cannot receive over forty-seven and a half per cent. of the final rate, so that the rate maker must add seven dollars and nine cents for the express companies on precisely the same service that they rendered on the short haul. These rates cannot be reduced without doing an injustice to the express companies on the short haul or the railroads on the long.



The rates of the express companies must be prohibitively high because of the duplication of equipment. From two to seven companies are always found in a large city. These necessarily have each a separate equipment in the way of downtown offices, office forces, and collect and delivery service. It was found by the Inter-State Commerce Commission that double the equipment of one of these companies would adequately serve the needs of all seven. Then we find here a vast duplication of apparatus which the government would eliminate by combining all into one system and turn back the cost of duplication into the public pocket by means of cheaper rates and improved service. The capital invested in the apparatus of these six useless companies must bear interest to the investor, hence high rates and unimproved service.

The express companies are also put to an enormous and useless auditing expense. A package traveling a long distance will travel with two or three different companies. These each have different contracts with the roads over which they operate and when the profits are divided each has to compute its own profits and the share due the railroad. Under government ownership this would all be eliminated, as all would come under one system. It is estimated that the postage stamp would take the place of fifteen acts of transportation accounting.

Finally, the express companies operate on the wrong principle to render an economic service. Their whole system is founded on the hypothesis that high rates and

small business is the most profitable, whereas the government operates on the principle that low rates and an increased service are the most profitable. To illustrate, the express companies receive twelve dollars a hundred pounds for a package sent a certain distance and acquire annually on the shipment eight dollars profit. Now they know positively that if they reduce that rate to six dollars or cut it in two for the same distance they will receive an equivalent increase in traffic to supply the same profit. But instead of choosing the six dollar rate, which will give the greater public service, they choose the twelve, which will give the lesser service and surer net return. The government would choose the six dollar rate each time, as they act on the opposite principle. Thus we see that the express companies do not render an economic service because of high rates, caused, first, by duplication of apparatus, second, waste in useless auditing, third, wrong system of rate making, and, fourth, operation on a wrong principle.

In the second place, they do not render a service sufficiently efficient. The Inter-State Commerce Commission after a two-day hearing were unanimous in regard to this. In a single day they discovered where the express companies had made no less than ten thousand mistakes in charges to patrons. Their system of rates is so complex that not even their own employees are able to decipher them. Furthermore, the express companies are guilty of wilful overcharging and collection at both ends. Their collect and delivery service is poor. Packages marked "perishable goods" are left in the



office for days until the contents have spoiled. In fact, the extortion, inefficiency and deliberate dishonesty of the express companies caused Commissioner Franklin K. Lane to say, "If prosecution were brought on every complaint that has been made to the Inter-State Commerce Commission all the express companies would be made bankrupt by the fines imposed and be forced out of business."

Add to the fundamental defects the fact that they do not reach a majority of the people and our case against the express company is complete. They have never reached the country districts and they could not purchase the equipment and make such delivery at a profit. There are sixty thousand towns and villages in the United States with no express service at all. This country demands a more broad and universal service and this is supplied by the Post Office, which has all the necessary equipment and could carry on the business with little additional expenditure.

And what do the gentlemen of the opposition propose for all these defects of the express companies. Government regulation? Government regulation is no solution for the evils and can never be. The express company is a transportation parasite. For years the various companies have been paying over one hundred per cent. on their investment of capital and yet — because of their parasitic relations — only seven per cent. of this is profit. When you consider that only seven cents out of every dollar is profit to the express company you can readily see how useless it is to better the present system by retaining

and regulating it. If the government were to attempt to cut the rate, they would not only have the seven per cent. which represents the profit as a margin on which to operate and if they should make any material reduction in the rate the express companies would run at a deficit. A small margin of profit cannot be lowered. Nearly all the efforts of State regulation tribunals have been struck down on these grounds.

Furthermore, interstate regulation boards are not efficient. The Inter-State Commerce Commission was given control of the express companies by the Hepburn Act in 1906. What have they accomplished during these eight years? Although the evils of the express companies have been apparent and the subject of discussion in all leading magazines and newspapers since that time, only one law has been passed in eight years to regulate them and that did not go into effect until last month. Such has been the history of government regulation since the founding of our government. Occasionally the boards are aroused from their stupor by the presence of public opinion and then they go slashing at the matter with little forethought, as in the case of the express companies, and when public opinion dies down they return to their old slothfulness.

Government regulation will still leave the middleman who demands a profit. He cannot be forced to run at cost and his profit then must cease or come from the pockets of the people at higher rates. How much more sensible is the plan which we advocate. We propose for the government to purchase the express company, con-

tracts and equipment, and to maintain the business in connection with the Post Office as a Postal Express.

In conclusion permit me to summarize the argument thus far advanced. We have shown that the present system does not render an economic service because of high rates arising from duplication of equipment, from enormous and useless auditing expense, from wrong system of ratemaking, and from wrong principles of operation. In the second place we have shown that the express companies do not give an efficient service; that they do not reach all of the people; and that the service itself is poor and inadequate. And, finally, we have shown the futility of a plan of government regulation because of the small percentage of profit, which can not be lowered without bringing ruin upon the companies, and that government regulation has given no satisfaction in the past and offers no promise for the future.

SECOND AFFIRMATIVE, HARRY GILLIS, MONMOUTH

Mr. Chairman, Ladies and Gentlemen: We have pointed out first that the express companies do not and can not give an efficient service; and we now submit that the government can. The federal government can give an efficient service for the reason that the postal system is peculiarly fitted to handle the express business in the best manner possible. The federal government can give a more efficient service first because it is wider in scope. According to R. R. Library 1913, the express companies cover 270,000 miles, but there are 450,000 miles of mail service. Hence from the point of accessibility alone the

federal government offers twice the possibility of accommodation.

But besides offering twice as many miles of service, the government reaches three times as many cities as do the express companies. There are 60,000 cities where parcel post is open to every one, but there are only 19,000 cities that have express offices. In fact, the express companies do not serve two-thirds of the cities in the United States. The government delivers mail in every city and hamlet throughout the entire country, and is rapidly extending the service both in respect to general mail delivery and parcel post. The government continually enlarges the service to accommodate the people. The purpose of the government is to serve, to serve not a few people but all the people, the rich and the poor alike. Will the negative show us wherein the express companies are expanding their service to meet the needs of the people?

Not only can the government give a more efficient service on account of wider scope, but it can also give cheaper service. A big business can operate cheaper than several small companies because of its unity. The government would operate as a unit the business now done by more than thirteen express companies, and would do it just as efficiently as it has dug the Panama Canal, after several private companies had given it up in despair. An examination of the express business of the country will show the reason why the government can do the work cheaper. There are thirteen separate express companies, each maintaining at great cost a dupli-

cation of apparatus and scores of clerks and officials unnecessary to efficient organization. This waste in competition is saved to the people by the unified, universal express system which the government could offer. The government would compress the thirteen express companies into the present postal department and thus give to the country a national express company which would insure lower rates than are even now offered by either the express companies or the government, for, as Postmaster General Burleson has said, "the cost of handling each package has been reduced as the volume of business increases."

Furthermore, the government can give a cheaper service because it has a more economic system of accounting. The postage stamp takes the place of eleven separate bookkeeping entries of the express companies on every package handled. Who can estimate the total saving in expense? According to Representative Lewis, where the government can send a letter for two cents, the express charges on the same letter would be five. The express companies can not take advantage of this economic system for the reason that they are divided. The railroads take advantage of the express companies to the extent that they force the express companies to pay fifty cents on a dollar for the service that the government secures for twenty cents on a dollar. It follows therefore, that the government can give cheaper rates because the railroads give them a sixty per cent. rate less than they give the express companies.

We have shown that the government can give cheaper

rates on account of big business methods. More important than this even is the fact that the government would not operate for profit, but would run for the purpose of serving the people. The profits would be turned back into the business in the way of increased service.

It may be said that this is theory. True, but it is borne out by facts. The Parcel Post has already compelled the express companies to cut their rates in two, and yet the government still has the economic advantage. The average weight of each express package is thirty-four pounds and one-half weigh but twenty pounds; and all these can be carried two hundred miles cheaper by parcel post than by express.

The bulk of the business which the government would control consists of innumerable short hauls between city and city and between city and country. All of which the parcel post handles cheaper than the express companies. Postmaster General Burleson has in preparation a still further reduction of rates and still further increase of service. He says, "The 100-pound package has no terror for me. The government will soon be able to handle larger packages, and further reduction in rates is in preparation."

My colleague has proved to you that the express companies do not and can not give an efficient service. I have shown that the government can give a cheaper and a more efficient service for the reason that it already reaches all the people through the postal system and that it is rapidly extending and strengthening the service, that the government applies business methods to the con-



duct of the postal system, has cheaper contracts with railroads, a more economic system of accounting, and operates from a public service motive. For these reasons we maintain that the government should conduct the express business of the country.

THIRD AFFIRMATIVE, CARROLL FRENCH, MONMOUTH COLLEGE

Mr. Chairman, Ladies and Gentlemen: The gentlemen of the negative have expressed great concern as to how we intend to get control of the express business of the country. They have decided that the only way by which the government can get control of the express business is to buy outright the stocks and equipment of the companies, and to do this they say that it will cost the government an enormous sum which in reality will be purely a waste. They advocate competition as the real solution of the problem. Let us see.

In their first analysis the gentlemen were right in concluding that the best way for the government to acquire the express business would be to buy it; but in the second place they fail to see the advantages in this plan. We, in the affirmative, propose to buy the express companies, not merely to acquire the operation of them but because the transaction would be a good bargain for both parties concerned. In the first place we would buy the express companies because it is the only fair solution of the problem. Government competition with all its rights of eminent domain would work an injustice to private enterprise if efforts to resist it by competi-

tion. In the second place we would buy the express companies because we shall need their equipment to handle the express business of the country. We should need their horses, their delivery wagons, their station rights and railroad terminals. Since the gentlemen have shown you that the express contracts are cheaper than government contracts it will be a distinct advantage to the government to buy the contracts also. This arrangement will also prove profitable to the express companies who under other conditions would suffer a loss from their equipment since no other agency could use it.

In the third place, we would buy the express companies because we wish control of the express business right away. By a plan of long drawn out and wasteful competition the government would be hindered in taking over the express business, delayed in taking it all over, money would be lost to both parties in duplication of equipment and working forces, and the public would suffer from lack of a universal and cheap service. Thus we see that it will be profitable for all concerned to acquire the express companies by buying them.

Further, the gentlemen in supporting their contention that the express companies can give cheaper service than the government argue that their operating expenses are less, citing the low wages paid to express clerks. We wish to point out in reply, that according to all business and economic principles wages are not the only consideration in final service, and that according to these principles low wages point to inefficiency and poor service, while high wages, judiciously paid, point to better service



and ultimately more economic service. The express companies, going on the plan followed by most privately operated public utilities, secure clerks for the lowest wage possible irrespective of the quality of service rendered. On the contrary, the government follows a selective and competitive system of choosing its employees, expects efficient and superior service and pays accordingly. The records of the nations show that the United States has the most efficient postal system in the world, which only goes to show that, though the government pays good wages, it gets good service and efficient operation. Thus the fact that the express companies pay lower wages than the government goes to show rather that their service is inefficient and inferior to that of the government.

Moreover, in estimating the various items of expense of the express companies the gentlemen of the negative fail to take into account the enormous cost of a cumbersome and complicated system employed by the express companies made necessary by duplication of equipment and offices and competition among the companies. This enormous economic waste would be saved under a system of government operation.

So far in this debate we have seen that the government is peculiarly equipped to operate the express business of the country. My colleague has shown that the express companies, because of their chaotic organization, complicated and cumbersome methods, and because of their thirst for profit are not capable of rendering cheap and efficient service. These defects are so inherent and

the methods of operation of the companies so fundamentally wrong that regulation is ineffectual as a solution of the problem.

My colleague, the second speaker, pointed out the efficiency of the government in handling the express business. The government has all the economic advantages of a unified plant. It operates without respect to profit, and with maximum efficiency. With but a little addition to the present equipment the postal department is well equipped to handle the entire express business of the country.

There remains but one phase of this issue which must be settled before we can feel perfectly assured that government ownership of the express business would be entirely satisfactory. Will this undertaking endanger the stability of the government? Would it be unwise from a purely political standpoint to entrust this important service to the federal government?

Facing this question squarely we find no reason, either in the nature of the system required or in past experience, that leads us to believe that federal operation of the express business through political degeneration will prove harmful.

In the first place, government ownership of the express business does not commit the country to the general policy of government ownership of public utilities. To quote from an editorial in the *Outlook*, December 27, 1913, "Acquisition of the telegraph lines does not necessarily mean government ownership and operation of the railroads or of the telephones. Each of these



questions is to be decided upon its own merits solely with regard to community welfare." Government ownership of public utilities depends not upon the general aspect of government ownership but upon the particular characteristics of each individual utility. We cannot even submit the question to evidence from foreign lands, but must study conditions as they are in the United States. This is especially true in this debate, for the question of government operation of the express business is different from the majority of such questions in that it involves merely an extension and rounding out of a department of our government which already exists. It is clear, therefore, that if the government can operate the express business cheaper and more efficiently than private enterprise the government is under no obligations to own and operate other industries and public utilities.

In the second place, the plan which we are advocating gives ample assurance that politics will not be able to impair the efficiency of the service and the integrity of the government. Remember that we are not advocating an entirely new service for the government. We are merely urging the extension of the long and well established postal department. Hence, if there is any danger of political degeneration of this department we might naturally expect to find the evil already present and working injuriously. But we find that the advance of the civil service has been most marked in all departments of the postal system, and it above all other government enterprises is upon a sound business basis. The civil

service has placed the postal department beyond the reach of politics. Over eight per cent. of our postmasters are under the civil service and every single clerk actually handling mail is under civil service law. According to figures compiled by Senator Lewis the individual efficiency of the postal clerk is the highest in the world and the postal system of the United States is the most efficient to be found anywhere. Therefore, we have no reason for supposing that on account of a mere extension of the service the postal department would become any more a political spoil than this same department is at present. On the contrary, we are given every reason to believe that politics would be debarred for the same reason, and by the same methods, and with the same results that it is at present.

Therefore, since it is unreasonable to expect that the government would be forced to follow the general policy of government ownership, and since the chance of political degeneration is reduced to the minimum, we are forced to conclude that government ownership of the express business would not endanger the political stability of the government.

We have seen how incapable the express companies are to handle the express business. We have seen the absolute futility of solving this problem by government regulation. We have been shown the ability of the government to handle the express business cheaply and efficiently. And just now we have seen that there is no danger of harmful political influence. The favorable



solution of this last issue removes every reasonable and fundamental objection against government ownership and operation of the express business.

SECOND AFFIRMATIVE REBUTTAL, HAROLD MC CONNELL, MONMOUTH

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The gentlemen have questioned the efficiency of the postal system. We would call attention to the fact that President Hadley of Yale, Henry C. Adams of the University of Michigan, and almost any other great economist of the country for that matter, are agreed in saying that the postal system is the most efficient business ever operated. They err in contending that merely because the Postmaster General receives his commission from the President that he therefore must be partisan. As to the character of men that can be attracted to the services of the state, we have only to call to mind the Postmaster Generals, past and present, to refute their argument. As to the annual deficits being to the discredit of government operation of the postal system, they are again wrong, for the deficit they mention is a tribute to the government in that it shows that the government does not operate on the basis of profit. Each year that there has been a surplus in the postal department, on the ensuing year the service has been extended and improved. The surplus that would have fed fat a private corporation was turned into the pockets of the people through a more efficient service.

The opposition maintain that the express companies

are rendering a highly efficient and satisfactory service. If that contention be true, why is it that the newspapers and magazines of the country are constantly demanding radical legislation in regard to the express business? Surely the opposition would not maintain that such papers as the *Outlook, Review of Reviews, World's Work* and the *Independent* are deliberately fomenting trouble for the express companies.

If they do, how about the Interstate Commerce Commission, that all-powerful, regulative body that they commend so highly. The Interstate Commerce Commission has discovered where the express companies made ten thousand mistakes in a single day, that these mistakes were largely overcharges, amounting in the aggregate to $7,000,000. Is that efficiency? It is an inefficiency that has led to the nation-wide demand for a government postal express.

The gentlemen say that these ills have been removed by the cutting of rates. We admit that the rates were reduced, but only on account of the competition of the parcel post. You will notice that the opposition has not cited reduction of rates on the large package. They can't. There has been none. From the past history of the express companies we are led to believe that the rates will be raised on larger shipments to make up for the deficit on smaller shipments, which they are forced to carry at loss in order to compete with the parcel post.

Furthermore, what has already been the effect of the forced cut in rates? The United States Express has de-

clared its intention to go out of business. The opposition say that the United States Express Co. was in financial straits and intending to liquidate before the parcel post was put into operation. But the company's own president says over his own signature, "The new heavy reduction in rates that went into effect February first on top of the parcel post competition is the real reason for our action." Other companies are also considering discontinuing business. The stockholders of the three other great companies are bombarding the officers and directors with inquiries as to how far the parcel post and the new rates have eaten into the capital assets, how long the condition is to continue and how far the companies can stand it without liquidating at a loss. This is the effect of regulation, the panacea of the opposition.

From the nature of the case, regulation can not remove the evils. Government regulation lessens the pain but does not effect a cure. The middleman is still left. He must have a profit; he can not be forced and should not be forced to run at cost. His profit then must come from the pockets of the people in the form of higher rates and unimproved service. We showed in our main speech that the express companies receive as net profit only seven per cent. of their proceeds, a margin of profit too small to be tampered with. Finally government regulation has not thus far done anything to give material relief. It was given the power to regulate the express companies in 1906, and, although the evils were apparent during all these years, it has passed only one regu-

lating law, a law by no means wholly successful. For these three reasons, therefore, that the middleman will still be there for his profit, that the small margin of profit of the express companies can not be tampered with, that regulation has not accomplished anything worth while thus far, we submit that government regulation is not a satisfactory solution of the evils of the express business.

THIRD AFFIRMATIVE REBUTTAL, CARROLL FRENCH, MONMOUTH

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The argument which the gentlemen have used this evening to support their proposition may be analyzed as follows: It would be expensive and a waste of money to buy the express companies. Moreover, the express companies give cheaper service because their cost of operation is less, seen in low wages paid to employees and cheap contracts with the railroads. Moreover, the evils which have attended private ownership of the express business can easily be remedied by government regulation through the Interstate Commerce Commission.

In answer to this argument we have shown, first, that it would be economically profitable to both parties for the government to buy the express companies. We have shown the wisdom of this plan by citing three reasons why the express companies should be purchased, namely, — because it is the only just way, because we need their equipment and because we want control of the express

business right away. The gentlemen have not challenged the wisdom of our plan.

In the second place, we have shown that the cost of operation of the express companies is actually greater than that of the government. The low wages paid to the express employees indicate inefficient service, and are more than offset by the enormous expense due to auditing, accounting and other costly expense due to complication, lack of harmony and competition. My colleagues have shown that the contracts with the railroads held by the government are actually cheaper than those held by the express companies and that the government would be able to give the cheaper service from the standpoint of cost of operation.

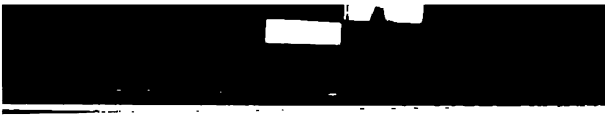
Finally, we have pointed out that government regulation is no solution of the problem. The costly and inefficient service of the express companies is due to causes which are beyond the reach of any regulating commission. They are due to the complication, cumbersomeness, and chaotic organization of the express service. To remedy these evils would mean a complete reorganization of the express system as it is to-day. It would mean the forcible combination of the express companies into one compact monopoly which in itself would be a violation of the law and policy of the nation. Moreover, the Interstate Commerce Commission has had ample time to prove its efficiency in regulating the express companies and has failed to solve the problem. Indeed so well has the commission regulated the express companies by reducing rates and increasing the expense that

already one company, the United States Express Company, has gone out of business. Is this what the gentlemen call successful regulation? As long as commissions only cut rates and at the same time increase expense what hope have we that their regulation will ever prove successful? We have shown that, whatever is done to remedy the express service, it must cut at the cost of the service and not the rates charged. This the Interstate Commerce Commission is unable to do. Nor does successful regulation consist in driving the express companies out of business. In the light of these facts we must conclude that government regulation by commission is ineffectual as a solution of the problem and that the case of the gentlemen must fail in this regard. This leaves government ownership and operation as the only remedy of the problem.

We have supported this proposition by showing first that the government is peculiarly equipped to operate the express business of the country. We have shown in our first speech that the express companies, because of their chaotic organization, complicated, and cumbersome methods, and because of their thirst for a profit are not capable of rendering cheap and efficient service.

In the second place, we have shown the efficiency of the government in handling the express business. It operates without respect to profit and with the maximum of efficiency. With but a little addition to the present equipment the Postal Department is well equipped to handle the entire express business of the country.

Finally, we have shown that since it is unreasonable



to expect that the government would be forced to follow the general policy of government ownership, and since the chance of political degeneration is reduced to the minimum we are forced to conclude that government ownership of the express business would not endanger the political stability of the government.

The favorable solution of this last issue removes every reasonable and fundamental objection which the gentlemen have lodged against government ownership and operation of the express business.

WILLIAM JEWELL COLLEGE vs. *MONMOUTH COLLEGE*

FIRST AFFIRMATIVE, G. ELTON HARRIS, WM. JEWELL, '15

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: On February 28th of this year Senator Cummins, of Iowa, voiced the sentiments of an awakened public conscience when upon the floor of the Senate chamber he stated, "I am one of those men who believe that the government of the United States should enter into the transportation business and absorb it to the exclusion of the express companies."

There are certain undertakings which the government cannot leave to private concerns if it is to serve the best interests of the people. Hence the Post Office is in the hands of the government. The government has built the Panama Canal. The government is to begin at once the construction of a railroad into Alaska, and enter the

field of transportation. These are some of the things that cannot be safely trusted to private enterprise. And with them should be included the express business.

I. In the first place, for the government to conduct the express business there is but one thing necessary, and that is the natural extension of our present parcel post. For the basic principle of the parcel post is the utilization of facilities already established for the handling and transportation of letters, newspapers, and periodicals, for the equally adequate handling and transportation of merchandise. Honorable Judges, the postal service sustains a relationship to the business interests of mankind which is doubtless the most direct, simple, and universal of all economic institutions. It extends over a million miles of rural roads, over 250,000 miles of railway, and serves all of our ninety millions of population. Here is a magnificent agency ready to enter the field of transportation.

This field that awaits the service of this governmental agency is the gap in the transportation of this country between the one hundred pound minimum of the railroad and the present fifty pound limit of the parcel post, together with its natural extension to include all business now done by the express companies.

(1) The Postal Express is not a new activity in the United States. The plan for the Federal government to conduct the express business is not new, nor visionary, nor untried. This business is an integral part of our Post Office Department. It was the purpose of the framers of our Constitution that the Post Office should



handle packages and parcels in connection with the handling of the other classes of mail.

The postal service is a gigantic enterprise and all phases of it have not kept pace with modern development. During the first forty years of our postal history the government did not have a monopoly on the carriage of first class mail, and by 1840 more letters were being carried by the express companies than by the government. About that time, owing to the lax and inefficient condition of the divided business, the government asserted its rights and took the exclusive control of first-class mail in order that the people might be given good service. Hence we have our magnificent postal system of to-day. But owing to the slowness of the government in developing the other phases of the postal system, the parasitical express companies have sprung up to handle the business. Honorable Judges, the time has now come when the federal government ought to assume a monopoly over the other classes of mail matter, and forever abolish the maze of complexity in which the express companies have entangled the American people.

Former Postmaster General Hitchcock says it was his plan to complete the extension of the rural routes, to perfect the delivery system in cities and towns, and then to take over the railroad express business. Thus making a general system which would adequately serve the public. And this plan has been endorsed by nearly all recent postmasters general.

It is sometimes asserted that the public has been given efficient service through the express companies. But,

Honorable Judges, that is not the case. President D. I. Roberts of the United States Express Company says, "When the parcel post started we recognized that it filled a long felt want that the express companies could never meet. It would always be impossible for us to make rural deliveries. This the parcel post could do." Forty-six per cent. of the population of our country live in rural communities and have never been given any kind of service in the handling of fourth class mail matter. In justice to this neglected half of our population the government should extend the parcel post to make the postal service uniform.

Albert W. Atwood says, "Some years hence men will have forgotten that the express service was ever under private management. That is the way of the most acknowledged functions of government. At one time all or nearly all public services were entrusted to private enterprise. But now they all have become or are becoming a part of the government of every civilized nation." Thus we see the development that is being made in the Post Office Department.

(2) The parcel post which was inaugurated January 1st of last year has proved a phenomenal success; consequently, several changes have already been made enlarging the original plan, in order that it may render even more efficient service to the public. Within one year the weight limit has been increased from eleven to fifty pounds. And the rates have been materially decreased.

Our present parcel post with the fifty pound limit is



working admirably. And Postmaster General Burleson, on March 16th, added to the list of mailable articles butter, eggs, fruit, vegetables, poultry, and other food products, to be packed in boxes or crates similar to those now handled by the express companies. Hence we see that the natural tendency of the parcel post is toward the occupancy of the field now held by the express companies. And we are here to-night, Honorable Judges, to uphold the policy of our present parcel post law, together with its natural extension. The policy which the present Congress refused to change after over a week of careful consideration last February. The policy of extending the parcel post to assimilate the express business of the country. Which will continue to displace the express corporation for the benefit of the entire population. For as you know, Honorable Judges, the United States Express Company has already decided to retire from business because the government can render a more efficient service to the people more cheaply than can a private concern.

(3) At present the parcel post maximum is fifty pounds; but this limit is arbitrary. There is no reason for maintaining such a limit longer than is necessary to perfect the proper equipment for a further advance in the weight of the parcels carried.

Before January of last year the limit for fourth class mail matter was four pounds. Before August of last year the limit was eleven pounds. Before January of this year the limit was twenty pounds. Since the beginning of this year the limit has been fifty pounds within

the first and second zones. These limits have all been arbitrary, and have necessarily hindered the development of this important part of the postal service. The fixing of a limit on fourth class mail matter is illogical, when there is no limit on first and second class matter. "If it is right and proper," said Senator Reed in the Senate, "for the government of the United States to carry a parcel that weighs one pound, it is just as right and proper to carry one that weighs ten pounds, it is proper to carry one that weighs a hundred pounds. The whole question resolves itself into simply one practical problem: Is the business of such a character and nature that the government may engage in it with benefit to the people of the United States?" And, Honorable Judges, the success of the parcel post compels an unhesitating affirmative answer to this fundamental question. There has been a national recognition of the fact that the transportation of commodities is as necessarily and constitutionally a postal function as is the transmission of letters.

(4) Now if the government is going to serve the best interests of the people, it should conduct all of this business and not just a part of it. If it is a good thing for the people and for the government for a part of the business to be under Federal control, it would be a far better plan for all of the business to be handled in this way, thus bringing about uniformity.

The motive for the government in this business is not that of gain but that of service. It is this motive that has extended the rural routes throughout our entire



country, and has maintained an efficient service in many places where the financial return was not sufficient to cover the necessary expenses. The Post Office is the only department of our government which reaches every class of our people, and, as Senator Bankhead points out, need not necessarily be expected to pay all of its own expenses. Nevertheless, during the year 1913, the first year of our parcel post history, the Post Office cleared above all expenses over four and a half million dollars.

Where shall we say that the government should stop in the service that it is rendering to the people? "If the government can give a better mail service than can private corporations, then for the same reason it can give a better express service than can private enterprise." And because the better service can be rendered by the government it ought to conduct the express business for the interest of the entire population.

Thus, Honorable Judges, I have shown you that for the government to take over the express business it is necessary simply to extend our present parcel post; and that the government should do this in order to give the people an efficient transportation service.

II. In the second place, it would mean an immense saving to the people for the government to conduct this business. Here is a practical solution of the vital question of the high cost of living. For the cost of living depends as much upon the means of distribution as it does upon the cost of production. The *Wall Street Journal* for February 7th estimates that the reduction

of express rates will save the consumer nearly thirty millions of dollars in 1914. With an additional saving of nearly five millions through the parcel post. It also adds that the parcel post rates are twenty-three per cent. less than the present reduced express rates for the same class of business. This means that if the government conducted the entire express business of the country the consumers would be saved over fifty million in a single year. Honorable Judges, that would materially reduce the cost of living. The agricultural products for the year 1912 were sold to the consumer for more than thirteen billions of dollars. Of this sum the farmers received only six billions and the other seven billions were consumed in the transportation and selling processes. Thus our greatest problem is the high cost of selling — not the high cost of living.

(1) This saving to the people is possible because the Post Office is already well equipped with every necessary facility for handling the mail. And this same equipment will be used in the handling of the express business. In only minor points will it be necessary for the department to augment its present equipment to handle properly the additional business. Although the Post Office handled three hundred million parcels during the first six months of the parcel post service, yet Postmaster General Burleson says that the more important classes of mail have not been impeded in the least. "And the parcel post business has been handled with celerity and dispatch."

(2) Hence for the government to conduct the express



business, it would involve but slight additional increase of the expenditure of the Post Office Department, while saving the costs now incurred by express companies.

The compensation paid the railroad for carrying the mails will necessarily have to be adjusted from time to time, as the parcel post business increases. This has been provided for by Congress by the act of March 4, 1913, which authorizes the Postmaster General to provide a fair compensation for the transportation on railroad routes. The *New York Times* points out the fact that an adjustment of this matter along the lines suggested by some of the railroads would probably not involve more than ten millions of the thirty millions which the parcel post cleared last year. Thus we see that the additional expense to the government for conducting the express business would not consume even one-half of the actual profits from the business.

(3) On the other hand, the profits will be turned back to the people in the form of reduced rates and more efficient service. For the government is able to perform this service far cheaper than can a private corporation. The express companies are laboring under a burdensome accounting system. There are eleven separate and distinct acts of attention which the express companies must give to every package, such as ascertaining rates, making out waybills, copying waybills, auditing, etc. But the Post Office avoids all of this expensive system of accounting. These eleven express acts are replaced by the postage stamp. The postmaster keeps an account only of the stamps that he buys. Thus, Honorable Judges, you

see the force of Mr. Burleson's statement that "There can be no competition with the government in an enterprise of this kind." Who will dare to say that the government ought not to make this immense saving for the people? The *Independent* correctly stated on August 21st of last year that "the prime consideration must be the well-being of the shipping and receiving public — the paying public." Mr. Vardaman, from Mississippi, said in Congress on February 24th, "I hope sincerely that the parcel post may be extended further. I should like to see it take the place absolutely of the express companies. Such a change would be of great pecuniary advantage to the people of the entire country."

(4) This policy will also be a source of profitable returns to the government. For the last thirty years Congress has annually appropriated an enormous sum to cover the deficiency of the Post Office Department. But for the year 1913, owing to the profits of the parcel post, not only was the department able to meet all of its own running expenses, but in addition it has reported a surplus of over four and a quarter million dollars. Thus we see that although the rates of the parcel post are so low that they have fatally wounded the express companies, they have nevertheless so wonderfully swelled the receipts of the Post Office that the entire department is rendered self-sustaining.

(5) Furthermore, it would be a decided gain for our rural population for the government to conduct the express business. The parcel post is unlike the systems of private companies, and is not bounded by the limits of



profitable territory. Through it the express facilities which heretofore could be obtained only in the cities and towns, will be extended to every rural community.

The benefits which our rural population will derive from a governmental postal express have been grouped under four heads by Hon. Daniel C. Roper, First Assistant Postmaster General, as follows:

(a) The productivity of the farm will be increased through the saving of time and labor that the parcel post will provide. No longer will it be necessary for the farmer to make the usual trip to town, especially during the rush season, for repairs, lubricants, clothing, food, etc. And thus by making farming more profitable and farm life more attractive, the parcel post will help stop the tide of our present rural exodus, and will mightily encourage the "back-to-the-farm" movement.

(b) By supplying an adequate means of distribution the parcel post will encourage truck farming, poultry raising, and fruit growing.

(c) By giving the farmer access to the larger markets he is bound to purchase more of manufactured and commercialized products. And the farmer in turn will become more ambitious and consequently a greater producer.

(d) The social conditions in rural communities will inevitably be bettered by this increased parcel post movement. "The most deleterious influence of the rural environment is its isolation." But this feature of farm life will disappear when the farmer is placed in close communication with the commerce of the nation. Thus

farm life will truly be made attractive and the quality of rural citizenship will be improved.

Thus I have shown that our present parcel post is beyond all question a success, and that its logical extension would include the entire express business. Thus giving all of our people an efficient transportation service. I have proved that it would be a great saving to the people, and to the government; and that it would be a powerful force for the development of our country in every respect. For these reasons, Honorable Judges, the federal government should conduct the express business of this country.

SECOND AFFIRMATIVE, ALAN F. WHERRITT, WM. JEWELL, '17

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My first point is that the government should conduct the express business of the country because the express companies have built up detrimental monopolies, which have not been satisfactorily regulated. In institutions, as with individuals, motive is everything. When men have invested their money in what are called public utilities for the purpose of gain, they behave differently from investors in general. It is because they have a monopoly.

When public needs and social considerations, as in this instance, must be the principal and dominating purpose, where imperative public service should be the object, the world naturally has not yet found the restricted private motive adequate to the work. The gravity of the



situation is well expressed in the declaration of the Postal Commission of the 59th Congress. It says, "Upon the postal service more than anything else does the general economic as well as the social and political development of the country depend."

In the first place, that the express companies have been a monopoly is shown by their huge profits. A glance at the Special Census report of 1907 shows that the profits of the companies are clearly out of proportion to the investment. Six companies in one year showed a profit of $28,000,000 and had watered their stock up to $50,000,000 on a physical investment of only $6,000,000. Substantial relief in the way of regulation is thus shown to be wholly impracticable. The Interstate Commerce Commission Report for 1912 states, "It is shown that at least one of the express companies for three years received an average profit of five hundred and ninety-seven per cent. on value of property invested and all of the companies from seventeen to sixty-five per cent. profit."

By a special system peculiar to express companies the profits have been further swelled. The *Literary Digest* for February 12, 1912, says, "The investigation of the Interstate Commerce Commission discloses that the overcharges and double payments go into the treasury of the company; that one of the companies swelled its receipts for one month to the extent of $67,000 by these extra means. February 10, 1909, the Merchants Association of New York made several charges against the express companies, the first of which was, "Rates are so high

in the case of Adams Express Company as to enable them to pay dividends of over eighty per cent, a year on the amount of money invested in their business." In 1907 they declared a dividend of $24,000,000. Honorable Judges, these profits and revenues are not the result of wise management of a legitimate business, but rather of a parasitic monopoly thriving by the generosity of the people.

It has been claimed that the express business has been satisfactorily regulated, but the facts prove it has not been. Since 1887, when the Interstate Commerce Commission was created, it has only recently been able to place any restrictions upon the express companies. Only when public sentiment was so strong in favor of a parcel post was a reduction in rates ordered and an investigation of the practices of the companies begun.

In the second place, it has not been possible to regulate this monopoly. In 1887, when the Interstate Commerce Commission was formed, the express companies, within six months, obtained a release from the jurisdiction of the Commission. In June, 1906, when the Hepburn Act was passed, the express companies were first brought under the jurisdiction of the Commission and compelled to file their tariffs; their tariffs were found to be in some respects in an almost chaotic condition. All companies united in organizing a joint tariff bureau in New York City, which bureau employed a large number of men and was engaged for some months in reconciling and revising the tariffs. No concerns doing a legitimate business could retain their commercial standing if their



financial condition was such as was found in the case of the express companies. So great was the task of compiling tariffs that the Commission had to grant an extension of time and not until July, 1907, was a complete set of tariffs received.

A general reduction of rates was ordered by the Commission to go into effect October 9, 1912, but at the instance of the express companies this date was postponed until October, 1913, and was again postponed until at last it went into effect on February 1, 1914, twenty-seven years after the Interstate Commerce Commission was established. Numerous delays have always been interposed by the express companies. It is clearly shown that in every case the express companies have sought to evade the jurisdiction of the law and only reduced their rates in conformity to the law after the parcel post had made deep inroads into their business. Not until February 1, 1914, was any material reduction made and this placed them in competition with the parcel post.

In the third place, the express companies have interfered with general business. In quite a novel way the express companies have added many millions of dollars by the buying and selling of produce. This is well illustrated by a report in Senate Document No. 468 of the 60th Congress, in 1907: "During the year 1906 and for a number of years prior thereto a route agent of the Wells Fargo Company, together with an express messenger of the same company, conducted a fruit business at Gentry, Arkansas. In the course of the business they bought and marketed the entire crop of peaches and

berries from associations and individual growers in the region thereabout. They conducted the business to make a profit for themselves and to secure traffic for the express companies." It occurs in instances that express agents control the sale of some commodities in certain localities; that is to say, the prices they name to local merchants are lower than the jobber can meet, with the result that the latter does not attempt to make sales and abandons the business at that particular point.

The recommendation of the Commission was "That all express companies and their agents be prohibited from buying and selling on their own account commodities transported by express from one state to another." The buying and selling of commodities by the express companies tends to break down individual enterprise on the part of producers into whose community foreign products are shipped. The knowledge of markets and of direct transportation routes places the express companies in such a position as to curtail the trade and productivity of a district of country. Honorable Judges, for this reason the express business of the United States should be placed in the hands of the Federal government. Then no selfish motive would actuate the control and extension of the production of this country.

Again, fourth, in the case of lobbies, the express companies have always maintained congressional and state lobbies when any bill relating to their business was under construction. While the United States post office has always been an express service Congress long confined the business to sealed parcels of not more than three

pounds. In 1894, however, the business was extended so as to cover all kinds of merchandise at a common rate of one cent each two ounces. This extension very soon became a dangerous competitor to the express companies. The private express interests got quickly to work and forced Congress to check the growing business by increasing the rate one hundred per cent., from eight to sixteen cents a pound. Since the innovation of the first step in our parcel post, the lobbies of the express companies have tried by every means to prevent its extension. Even after one year of trial, when the parcel post with its great limitations showed a profit of thirty million, the express interests were still working against the perfection and extension of the parcel post.

Fifth, in the case of monopoly usurpation the express companies have evaded national taxation. This is shown by the Spanish-American War tax. The Shifting and Incidence of Taxation by Ed. R. Seligman, Professor of Political Economy, says: "In the case of the American War revenues of 1898 the one cent tax on express companies was shifted to the consumer, partly because the tax was high enough, from the standpoint of the express companies, to warrant an attempt to throw it on the sender of the parcel and partly because the tax was at the same time so low the consumer did not care to abandon the use of that particular medium of transportation. The tax that was intended by the government to be borne by the companies was thrown upon the consumer." This attitude of the express companies to defeat the purpose of laws when they affect the profits of

said companies, has been the history of their existence. Honorable Judges, we find again regulation and legislation wholly unable to cope with the methods of the express companies.

The express monopoly, in the sixth place, has charged high rates. The express rates have always been high and far out of proportion to the amount of service rendered. A simple illustration of regulation in case of transportation rates will show the futility of such action. In 1909 the express companies had invested in equipment, their only real capital, $7,381,405, while their profits were $15,382,553. These figures show that over two hundred per cent. profit on the value of property invested was made by the express companies. Three years after the Interstate Commerce Commission was placed in control. It will be suggested that the Interstate Commerce Commission has regulated the prohibitory high charges, but the competitive prices of the parcel post accomplished that desired reduction. The *Outlook* for April 11, 1914, says, "The Secretary of State of New York expects to save $25,000 this year in the State by sending the automobile registration tags by parcel post. It costs about twelve cents by parcel post against thirty-five by express." The express companies have been charging monopoly rates for decades, as is shown by their enormous profits and dividends. We have been able to do but little with them. If the express companies continue in competition with the parcel post the rates for each will need to be high in order to pay out on the two systems which are duplicating each other.



In the seventh place, under objectionable monopoly, there have been articles which the express companies have carried in competition with the government's mail service, such as books. Prior to October, 1912, the tariffs of the companies contained a section which was called the post office competition rate, and covered a list of articles which were admitted to the mails at the same rate. Now this was a shrewd bid for the heavy shippers of books, calendars, catalogues, photographs, &c., and was not intended for the occasional shipper of a single package. In this manner the express companies chose the most profitable business for themselves and allowed the post office the long single shipment at the flat rate. The undesirable and unprofitable business was left to the post office. Thus the yearly revenues of the post office have been materially decreased by this competitive rate. Honorable Judges, the express business cannot exist divided as it is to-day. We ask the union of these two mediums of transportation, and in this way the profitable and unprofitable business may be merged. Honorable Judges, the extension of the parcel post to the extermination of the express companies is imperative.

In the next place, the multiplicity of the express equipments results in thousands of dollars loss each year. One may see any day in the large cities a number of half empty express wagons being driven about the streets to deliver three or four hundred pounds of express. One system with smaller territory could do full capacity business. The number of our express companies adds in-

calculable waste of transportation effort. If we allow the government to conduct the express business and we reduce the tremendous waste and corresponding costliness of the unorganized country to town transportation of our necessaries, and such equally wasteful, and quite equally costly express service, we have put our finger on one of the big leaks which swallow so much of the unprecedented productivity of our country.

My next point is that the local dealers will not be injured. It is said the small retailer will be thrown into competition with the large forwarding houses. But not to their disadvantage, while the local merchants will benefit much in the marketing of eggs, poultry, produce, &c. The parcel post has recently started ten post offices throughout the country which furnish the city dwellers the names of farmers and the produce they offer, thereby encouraging the union of producer and consumer.

Each farmer in reality will soon be running a mail order business. There is no other revolution in the methods of distribution that would make so much difference in the cost of living as a thorough-going postal express. For the increased business the mail order house, the large retailer and the town dealer or village store will compete. Daniel C. Roper, First Assistant Postmaster General, says in the *Civic Progress,* January, 1914: "The smallest of these units (the village store) will have three advantages. First, the parcel post rates are fixed by zones and the nearby shipper is favored with a special rate for local deliveries; second, the element of time is in favor of the nearest market, and, third, the

local dealer has most to gain in efficiency and serviceableness under real competition. The local dealer may sell by catalogues on his counters at prices equal to city prices, offering to the farmers a wider selection in buying, not only because distant markets are inaccessible but also because the sources of supply nearby will be improved by influence of distant competition.

The local dealer has a further advantage in lower rents, cheaper help, less advertising expense and lastly he has the greatest advantage in that the bulk shipments he purchases will always have a freight rate and can easily compete with the single direct shipment of the mail order houses.

For these many reasons, Honorable Judges, we advocate that the government should own and control the express business of this country.

THIRD AFFIRMATIVE, J. H. POLLARD, WM. JEWELL, '15

Honorable Judges, Ladies and Gentlemen: The gentlemen have asserted that the express companies are efficient and give for their support such illogical illustration as that the United States Express Company is going out of business with an increasing value of its stocks. Whatever this proves it certainly does not prove efficiency for this company to be forced out of business by a parcel post limited to fifty pounds and curtailed in fifty-pound operations to the first two zones. However, Honorable Judges, this illustration does show two things for which we have been contending:

It shows that this company has accumulated great

wealth, because it has invested its profits in stocks and bonds instead of using them to better its service, and has become, instead of a transportation institution, primarily an investment institution.

It shows again, that the express company has served its day, for this is absolute evidence, given by the gentlemen of the negative, that people would prefer to have their money in an express company that has given up the transportation service, than to have their money in a company that was still trying to usurp the postal function from the government.

We have seen that the postal express as an extension of the parcel post is demanded by conditions which are ripe for its introduction. And now in closing for the affirmative, I shall add to the facts brought forward by my colleagues the facts of its success and practicability.

My first main point — it is a success wherever tried. We are not bringing postal express as an experiment, but as a dependable system so proved by its success in other countries. Two-thirds of the area of Europe is served by satisfactory systems of government express.

Germany has a postal express which handles merchandise of all sorts. The rate is less than a half cent per pound for forty-six miles and there are rates proportionately low, scientifically constructed for distances up to eight hundred and fifty miles. There is a complete system of urban and agricultural delivery. The Imperial government owns a complete equipment for handling the business; such as postal cars, express rooms at stations and post offices and vehicles adapted to the



delivery of packages. The American Consul in a special report on the German system said, "No opposition has been manifested against it before or since its establishment. The benefits to the people which have resulted from its operation are cheap and quick transmission of parcels and, in general, all the benefits which are claimed for such a system in the United States."

And Russia, even Russia, has a system of postal express. The system extends to all railroad points in European and Asiatic Russia and to Siberia. A shipment may be sent anywhere within the two million square miles of European Russia for two and one-half cents per pound. After a special investigation of the Russian system the American Consul, Mr. Wheeler, says, "No opposition has ever been manifested against the present system. It is considered generally to be of great benefit to the people; the rates are cheap and the delivery quick and sure."

For more than a century the government of Switzerland has been expressing packages. The highest officials of the Swiss confederation say that the people have always shown their sympathy with this institution and through its promptness and security it has facilitated commercial transactions and relations in general.

In Belgium the rates are exceedingly low and the government operates a widely praised system of postal express. The Consul General says of the system, "It has proved very successful in Belgium not only with the people but with the government; since it has realized large profits from this department."

The Austrian kingdom has been expressing packages ever since the seventeenth century. Two and two-tenths pounds are carried forty-six miles for one and one-fifth cents, and, there are proportionately low rates for distances up to seven hundred miles. The American Consul in Vienna writing of the advantages of the Austrian system says, "These advantages and benefits are so manifold and practical that to enumerate them would be to write a volume." Hungary has a system like that of her sister kingdom, Austria. There traffic has doubled in the last ten years. Paul Nash, Consul General, says of the Hungarian system, "Since its establishment its obvious advantages have made it a most popular institution and nothing but praise is heard of it."

Therefore, Germany, Russia, Switzerland, Belgium and Austria-Hungary, comprising two-thirds of the area of Europe, are all provided with successful government systems for expressing packages. No institution of the Continent has ever met with more general popularity and success than has this. Private express companies do not exist in these countries save in Austria-Hungary, where there are two weak forwarding agencies. Speaking of Postal Express Ernest G. Walker truly says, "The several national constituencies of Europe that have these systems would no more relinquish them than American cities would relinquish electric lights and automobiles." Far from being an experiment, Postal Express demands our acceptance by the very success of the institution wherever tried.

My second main point: Postal Express will be successful in the United States. First, because conditions are sufficiently similar here. In regard to density of population, while we do not have a population as dense as Germany, ours is more dense than that of Russia. Then, the average citizen of our nation makes use of transportation facilities to a much larger extent than the citizens of any of these nations, a fact which fully compensates for our lack in density of population and makes our business proportionately equal to any. We have no hauls longer than Russia's. If Germany delivers packages eight hundred and fifty miles so can we; and with our transcontinental railway systems the difference between eight hundred and fifty and two thousand miles is merely a matter of hours. These countries are using the zone system; we are now using the same in our parcel post. Switzerland has a democratic form of government, so have we. We would have no difficulties such as Switzerland has in delivering to her mountain vacation resorts. Conditions, in fact, if different, are more favorable here than in these countries, and indeed sufficiently similar to make the successful operation of the government express a certainty.

Its success here is guaranteed, second, because Americans work to better success whatever others can use. For years, Americans have held the admiration of the world through the continual success of their public undertakings. This esteem has been increased by the construction of the Panama Canal. Other nations had tried this feat and failed. American ability to organize forces

and dominate conditions has made the Panama project a success. Norman Angell, world renowned editor and author of international fame, in speaking of the contribution each nation will make to the consummation of international peace, speaks of the "American capacity for organization and administration" as a contribution par excellence.

Americans are now continually being called to Russia and other countries as managers of industrial concerns, transportation projects and financial institutions and to other positions demanding a high order of administrative and executive skill. The Hon. James Bryce after making his criticism of our institutions adds a word of heart-felt praise concerning American character by saying that, after all, Americans have the capacity to get excellent results from even defective machinery. Our conditions are not dissimilar, our difficulties are not greater. European governments have made a remarkable success of the business of expressing packages; there is no reason why the American government with American capacity for organization and ability for execution cannot make this business more popular and more succesful than it has been in any other country of the earth.

In the third place, the assertion of the gentlemen that our plan would place the express service in the hands of politicians, is entirely unfounded. No organization on earth rests more upon merit and is more efficient than our civil service. The civil service is now doing all that Peter Cooper and its advocates of the early eighties

claimed for it. I quote from the 1912 report of the National Civil Service Commission. "Examinations have been successful in a marked degree in filling positions requiring not only the highest expert knowledge but also the highest expert administrative ability. Such positions ranging in salary from $3,800 to $4,800." The extent to which the civil service is taken out of politics is shown by case after case in the report. For instance, of the 1,300 municipal clerks accused in Philadelphia in 1911 only four were in the civil service proper. And of these four, the charge was sustained in no case. Again, among the many charges in the State of Kentucky in 1912 only one person of the civil service was found to have violated the law.

Quoting again from the same report, "There is abundant evidence that to those parts of the service to which the Civil Service law is applied more is being done with fewer employees and more economically." In 1898, two thousand five hundred employees gauged two hundred and fifty million gallons of spirits. In 1912, two thousand one hundred employees gauged five hundred and fifty million gallons of spirits. In the revenue department in 1896 it cost $2.78 to collect each one-hundred dollars; in 1912 it cost $1.71 to collect the same amount.

Scores of such items are given showing equal economy in the competitive service. The commission adds, "The unanimity of opinion indicates that the American people are satisfied with the result of this system and marks the cessation of all organized opposition to it." The Civil Service is an unqualified success. A fact of major sig-

nificance is this debate, because at once, in the Civil Service, we have at hand a prepared, well-organized, and efficient instrument for conducting the postal express.

The success of the postal express is assured, in the next place, because of the success of the postal bank and the parcel post. Over thirty-three millions of dollars have already found their way to the national postal banks. The *Outlook* shows conclusively that practically this entire sum was drawn from hiding places and for the first time placed in circulation through the postal bank.

The parcel post has been an unparalleled success. Six hundred million packages were handled before the close of the first fiscal year. The parcel post has made it possible for the Post Office Department to report a surplus of over three million dollars, the largest in the history of the nation. No mere statistics can represent the full success of the parcel post. This can only be shown in the actual fact alone; the fact of the unequaled success of the parcel post demands an extension of the service until it constitutes a postal express.

Therefore, similarity of conditions, American capacity and American success in case of Civil Service, and parcel post leave no doubt as to the successful operation of the postal express in the United States.

My third main point is — the postal express is practicable. First, because the extension of our present system into a postal express is the only logical procedure. With the fifty pound maximum we virtually have the postal express within the first two zones. Men on foot cannot carry and deliver fifty pound packages; vehicles



are necessary to deliver these large packages. Vehicles that can deliver fifty pounds can as well deliver packages of all sorts that the express wagons now deliver. The government will have to provide such vehicles, then why not use them to their full capacity and thus get for the people the greatest possible profit and service? Postal cars equipped for fifty pounds can as well carry all express weights. The same holds true throughout the express equipment. The debate in Congress showed that public sentiment forbids any retrenchment,—a maximum of less than fifty pounds will not be allowed. Since the government must provide transportation and delivery for fifty pounds, the only logical and practical procedure is to extend the service until we operate a postal express and do a full capacity business.

This is practicable, second, because it requires the purchase only of what may be usable. There is no demand that the government should buy the capital stock of the express companies. Again, we answer the question concerning which the gentlemen have been so anxious. The government need buy only the part of the equipment which it can actually use. In fact, we are not doing even that for the United States Express Company. The last special census report of the government on the express business gives less than ten million dollars as the total valuation of the entire equipment of the express companies. This includes express cars, automobiles, office fixtures and all other equipment. There could be no more practicable program possible than to make utility the criterion of purchase and make every

piece of equipment meet this test. Under this program the total expense would be less than ten million dollars. If the government can spend four hundred million dollars in Panama for the sake of humanity and trade, it surely can spend ten million dollars in the United States for the sake of benefiting the trade conditions of its own people.

The postal express is a success; facts from Germany, Russia, Switzerland, Belgium and Austria-Hungary prove it so. Its success is assured in the United States because of American ability, because a successful Civil Service offers an efficient instrument for its operation and because the unparalleled success of the parcel post warrants this further extension. The postal express is highly practicable because it is based on a logical extension of the parcel post and requires no outlay except for material actually usable. For these reasons I maintain, Honorable Judges, that the United States should conduct a government express.

FIRST AFFIRMATIVE REBUTTAL, ALAN F. WHERRITT, WM. JEWELL.

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My honorable opponents have told you the rates of the express companies are just. How have the rates been made? I have here two letters from the Adams and the Wells Fargo Express Company in answer to questions submitted —

1. What per cent. of your business is carried through packages weighing over a hundred pounds?



2. What per cent. of your business done weighs under a hundred pounds?

The answer in both cases is "We do not have this information at hand. It would be impossible to obtain this short of a year's work." Honorable Judges, how could the express companies fix a fair rate without such data? Upon what have they based a rate for packages weighing ten and twenty pounds? They have guessed at the rate, but in all instances have made it exorbitantly high as shown by their profits. Honorable Judges, if we would have a just rate, we must have a government postal express.

The negative has asserted that regulation is possible. Honorable Judges, it is not possible to regulate the express companies. I have shown you how the lobbies of the express companies have prevented the legislators from passing laws to regulate the monopoly; how the express companies have evaded taxation; how they have defeated the purpose of laws aimed at their evils.

Numerous quotations have been given showing the huge profits of the express companies. Honorable Judges, can you conceive of any business enterprise under normal restrictions that yields such enormous revenues as the express company. Small wonder then that the transportation by express is high. Honorable Judges, it is not possible to regulate the express company by legislation or commission regulation.

My opponents maintain that regulation is satisfactory. Honorable Judges, the Interstate Commerce Commission has not satisfactorily regulated the express companies.



The rates put in effect by the Interstate Commerce Commission February 1st of this year do not affect the rates existing within the State of Illinois. The unfair rates and discrimination still exist within this state. The Interstate Commerce Commission can only regulate the rates between states. If the Interstate Commerce Commission has for twenty-eight years been trying to regulate this monopoly, can the individual states accomplish this task? Honorable Judges, the character of the business prevents any correction to be made.

The negative says that government ownership is not necessary. Honorable Judges, the discrimination between the large and small shipper; between the large and small town will exist just as long as we have private express companies. Government enterprises serve the interests of each individual and section of country alike. A government postal express would eliminate the eighty-five different express companies we have to-day. Government ownership is necessary to secure the lowest possible rate for which the service may be rendered. A single government express will reduce the tremendous drain made upon the United States by the multiplicity of express equipments. The efficiency of the express company of which my opponents speak has been accomplished by government competition. If efficiency is obtained by competition, and our present regulation is satisfactory, then, Honorable Judges, why did we not have efficient, satisfying express companies ten years ago. The only solution to our express companies is government ownership.

Honorable Judges, let me enumerate the four vital faults of the express companies.

1. The express companies have not rendered a service sufficiently economical; their rates are so high as to prohibit the traffic of the country.

2. Sufficiently efficient investigation has shown that their overcharges and double charges constitute a serious public grievance, although meanwhile they have accumulated surplus profits many times the capital devoted to the service.

3. The express companies are not sufficiently extensive; they fail wholly to reach the country store or farm now reached by the parcel post.

4. In failing to reach the farm and thus permitting the vital necessaries to move at first cost to the consumers in the towns and cities, their inadequate service is a substantial cause of high prices.

Honorable Judges, a government postal express will result in greater production in the rural districts. The manager of a large rural telephone company says the government parcel post has made an increased demand for rural phones. The local dealer enters here. He delivers by parcel post. Greater efficiency and serviceableness is his contribution. The farmer is saved a half day's trip to town. There is no loss of time to him. Primary production is greatly increased. Honorable Judges, is this not a just ground for a government postal express?

SECOND AFFIRMATIVE REBUTTAL, J. H. POLLARD, WM. JEWELL.

Honorable Judges, Ladies and Gentlemen: Throughout this debate, the gentlemen of the negative have continually used a fallacy of argument which, when pointed out, is an answer to all their claims of impracticability concerning the Postal Express. It is this: They have repeatedly based their claim of impracticability upon the present parcel post and shown its limitations; they have not made their claims of impracticability, and cannot make them, against the completely extended postal express which we uphold. Therefore, assertions that the government could not handle large packages, breakable packages, etc., have been constantly fallacious since the attempted proof for this was based entirely upon statements that the government could not do so and so by means of the present limited parcel post.

Furthermore, if they had based their arguments on the completely extended postal express, the arguments would be untenable. If it is impracticable to handle horses, iced-products, etc., under an express operated by the government, it is also impracticable to handle such articles under an express operated by private corporations. It is a question in each case whether such articles belong logically, practically and profitably, to the express carrier. When the gentlemen answered it in the negative for the government, they answered it likewise for their private corporations and refuted their own arguments.

The gentlemen have asserted that the people do not



want the postal express; for this they did not give and cannot give any authority. We have shown you that public sentiment was so strong for the extension of the postal functions of the government that men in Congress who had been life-long supporters of the express dared not lift their voices in behalf of the present express company.

The gentlemen have asserted that the government will not advertise; but everyone knows that it is only this multiplicity of express companies and their competition that forces the people to pay this extra expense of advertising, from which they receive not an iota of benefit. .This is only another of those needless expenses caused by the multiplicity of the express companies, very generously mentioned for us by the gentlemen.

The gentlemen have asserted that the government express will not open up new and unprofitable fields. Honorable Judges, to remind you of one fact answers this argument completely — that fact is the thousands and thousands of post offices in this country maintained in isolated places and at a financial loss. We challenge the gentlemen to cite any private corporation which has so entered unprofitable fields for the good of the people. Along this line, we have shown that the government express will bring the service to half of our population, namely, our rural people, which the express companies, the gentlemen uphold, refuse to reach.

Honorable Judges, the Interstate Commerce Commission has not regulated the express rates. The rates of the Commission are obeyed when, because of competition

with the parcel post, it is good policy for the express companies to do so; when there is no such competition the Commission rates are a joke. The only regulation we now have is through competition with the parcel post; the only satisfactory regulation we can ever have is through the full competition of a postal express,— regulation which means regulation out of business.

The gentlemen assert that the express companies are efficient, and give war-time illustrations to support it. In refutation we give you the fact taken from the Interstate Commerce Commission's last report that the leading express companies of the nation were convicted of ten thousand errors in the course of two business days.

From the method of defense the gentlemen have used, they must maintain that there should be competition with the government in the express business, and they have so maintained. This, Honorable Judges, is an untenable position. We have absolute proof for this. The gentlemen in their dodgings have admitted that the parcel post might be extended to one hundred pounds. If this was done, shall we notice then, Honorable Judges, from the evidence I have here, the result?

"A special investigator after examining the records of four express companies in Kansas City, Missouri, in reference to the amount of business carried below and in excess of one hundred pounds per package, reports that the American Express Company, April 16, 1914, sent thirteen hundred and one packages of which forty-nine weighed more than one hundred pounds, less than four per cent. of the whole.



The United States Express Company, April 7th, 1914, eighteen hundred and eighty-three packages, thirty-four over a hundred pounds, less than three per cent. of the whole.

The Wells-Fargo Company, four thousand, four hundred and twenty-nine packages, one hundred and forty-four weighing more than one hundred pounds, less than four per cent. of the whole.

Adams Express Company, nine hundred packages, one hundred and eight of them weighing over one hundred pounds, less than twelve per cent. of the whole."

So we see that in A.D. 1914, only five per cent. of the packages handled by the express companies weighed over one hundred pounds. If the government does the business up to one hundred pounds, only five per cent. will be left to the express companies. Upon this they cannot possibly exist. Furthermore, investigations in foreign countries show absolutely that express companies do not exist where the government carries as high as one hundred pounds. The gentlemen, Honorable Judges, have an untenable position because they have left no place for their express companies, they have left nothing for them to do.

THIRD AFFIRMATIVE REBUTTAL, G. ELTON HARRIS, WM. JEWELL.

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The gentleman stated that no express company has ever gone broke and hence they are good economic agencies. Indeed, the express companies have never

gone broke, but, on the contrary, they have fleeced the American people from the very start as proved by my colleague. But the conclusion drawn by the negative does not follow this fact.

The gentlemen admit that the parcel post cleared four and a half million dollars last year and yet they have asserted over and over again that parcel post rates are higher than express rates. But, Honorable Judges, they have failed absolutely to produce any authority for such a statement. On the other hand, I read to you from the *Wall Street Journal,* which I hold in my hand, that the parcel post rates are twenty-three per cent. less than the present reduced express rates. Why do not the gentlemen produce some proof for their statement?

The gentlemen stated, without proof, that the government cannot handle even the small package business as cheaply. I read to you from the New York *Herald,* which I hold in my hand, that the parcel post can handle this business more efficiently and more economically than the express companies.

Then they say that the government cannot handle the large package business. But where is their proof? They have none, Honorable Judges. They assert that the government can never acquire this business by competition. But I have proved upon the authority of our Postmaster General that "There can be no competition with the government in an enterprise of this kind."

The argument of the negative has been that the parcel post cannot handle all of the express business because of present limitations. Such argument is absurd for we



are asking that the present limitations be removed and the parcel post be extended to include this business.

The negative have argued that this would be class legislation because it would favor only the small shipper. In this they oppose our present parcel post for the government is already conducting this business to the extent of fifty pounds. Thus they assume the burden of proof and must prove that the government should discontinue the parcel post business. But they have been unable to prove such a ridiculous proposition. We are asking simply for the enlargment of an existing function of our government. And this would be no more class legislation than was the construction of the Keokuk Dam because it favors only the city people with light and power; or, the building of the Roosevelt Dam because it supplies only the farmers of a certain area with irrigation water; or, the digging of the Panama Canal because it benefits mostly our seafaring people. The fallacy of such a statement is apparent upon its very face. The Post Office serves all classes of our people alike, and its extension to include the express business will necessarily benefit our entire population.

They say that the government would also have to conduct the freight business if it is going to conduct the express business of the country. That is a new question and we should be glad to debate the government ownership of railroads with the gentlemen at some later time. But for to-night we shall confine ourselves to the question of the government conducting the express business.

The gentlemen argue that our proposition is socialistic in its tendencies, and favors only a few. We have argued that the government should simply extend its service in the field which it already occupies and that it purchase from the express companies what material they have that is usable. A governmental postal express is no more socialistic than maintaining public schools and courts, or army and navy, at the expense of the whole country. Who would cry that the Post Office is socialistic because it has a monopoly of the handling of first class mail? Every one recognizes that this is a governmental function.

The gentlemen have argued that an extension of the parcel post to include the express business would interfere with the efficiency of the Post Office. Now that same "hue and cry" was raised when the rural routes were started, and again when the Postal Savings Department was inaugurated. But the facts show that these extensions have really increased the efficiency of the postal service, and all of these phases of it are working together as a unit. Mr. Burleson distinctly stated in his report last December that "the proper handling and prompt delivery of the more important classes of mail have not been impeded" by the parcel post service. Assistant Postmaster General Roper says the business of the Post Office was increased nearly one thousand per cent. by the Christmas rush last year but all of the business was handled with accuracy and promptness, thus proving the efficiency of the system.

These, Honorable Judges, are the facts from the au-



thorities in charge of the business, as compared with the theories of the gentlemen from Monmouth.

The gentlemen have claimed that the parcel post is unfair to the railroad. But, Honorable Judges, I have called your attention to fact that Congress provided for a fair compensation for the railroad service in carrying the mails by the act of March 4, 1913, which allows the railroad an additional increase of five per cent. for their services, owing to the increase due to the parcel post business. And Mr. Burleson reports that this increase aggregated one and three-quarter million dollars for the last six months of the year 1913 alone. Where, then, is there any unfairness to the railroad?

Furthermore, the packages for one-fourth of the territory of the United States have been weighed since the inauguration of the parcel post and the railroads are receiving mail rates for carrying express business in that territory, which rates are sixteen times as high as the railroad received from the express companies for the same kind of service. Hence the facts are that the railroads are making a big thing out of the parcel post business. And the gentlemen have failed to substantiate their claim.

The negative have cited the instance of a certain railroad offering to carry letters at one cent instead of two cents, if they were given a contract to carry the mail for a number of years, and from this they have drawn the conclusion that government activities are more expensive than these same activities under private control. But they have jumped at a conclusion without considering all of the facts. If there were any truth behind this

offer, why was there no popular demand for the change? For surely the people do not desire to pay twice what is necessary for the mail service. Honorable Judges, the reason is (1) that the public knew that such a change would mean years of postal stagnation. During which there would be no advance whatever in our postal system, for the motive would then be gain and not service. (2) Furthermore, under our present system all of the newspapers published in Monmouth are carried absolutely free of charge anywhere in Warren county; whereas, under the contract spoken of, these papers would be charged full rates. (3) Again, the Post Office now carries thousands of tons of mail annually for the government with no charge whatever. But under the contract, the government would have to pay for all of this service. Hence we see that when all the facts are considered, government activities do not cost more than private enterprise. The statement of the gentlemen cannot be proved. The government is seeking to render service in this business and is not seeking profit.

The negative have maintained that the parcel post and the express companies should continue separate organizations as at present. Now, Honorable Judges, we have proved that the express business is a part of our present postal system because the government is now handling the business to the extent of fifty pounds. Now since this business is a government function, it is folly for the negative to argue that there should be competition in the business. Imagine, if you can, a corporation in competition with the government in coining money, or in



maintaining an army or navy. The very fact that this business is a postal function proves the fallacy of the gentlemen's argument. We are not asking that the government enter a new field; but only that it enlarge its present business in the field that it already occupies. And we have proved that this field rightfully belongs to the government.

The gentlemen have reiterated time and again throughout this debate that the government cannot successfully handle the express business. They would have us admit that we have been caught in the unrelenting tentacles of an inexorable monopoly, and with bowed knees do homage to these express corporations as the absolute gods of transportation. Honorable Judges, all other nations of any importance are conducting postal express systems and so can we. The Americans can consummate the dream of ages by uniting the two greatest oceans of the world, after other nations have failed in the attempt. Why should we hesitate to undertake this important postal service? The fact is that we are already successfully operating an abridged postal express and we have proved that the government could and should enlarge this service to its limit for the advantages of the entire nation.

MONMOUTH COLLEGE vs. *WILLIAM JEWELL COLLEGE*

FIRST NEGATIVE, JAMES KELSO, MONMOUTH COLLEGE

Mr. Chairman, Ladies and Gentlemen: When the affirmative complains of double charges, the gentlemen complain of evils which the Interstate Commerce Commission has removed from the express companies. In fairness to both the express companies and the Interstate Commerce Commission we must consider the express conditions as they exist to-day and not as they were before the introduction of government regulation. In discussing these evils the twenty-sixth report of the Interstate Commerce Commission, page 3, says, "Double collection of charges has been prevented, discriminatory rates abolished, through routes have been established, and a new system of stating express rates has been devised. This is probably the most important single piece of work ever done by the Commission."

The fact that these evils have been removed from the express companies is one of the causes for their rapid growth in the last few years. Contrary to rumor the express business is not on the decline. The 1913 report of the Interstate Commerce Commission shows that the express business last year was the greatest in history and that its rate of increase was over twice as great as that of the previous year. We admit that the United States Express Company has recently announced its intention of going out of business, but this action is due,



not to the competition of the parcel post, but to the administration of the directors, for although the dividends in earlier years were higher in 1911 they had dropped to six per cent., in 1912 to three per cent., and in 1913 to nothing. But, as the 1913 report of the Interstate Commerce Commission shows, the other express companies, of which (Sen. document 467, 60th. Cong. 1st. Sess.) there are seventy-eight doing an interstate business, are all securing an increase of business regardless of the competition of the parcel post.

The opposition has stated that the parcel post is a financial success. Let us see. Postmaster General Burleson in the 1913 Post Office report says that the parcel post cleared $16,000,000 last year, but the report of the Secretary of the Treasury credits the entire Postal Department with a profit of less than $5,000,000 last year. Furthermore, in 1910 the net efficiency of the Postal Department was $12,000,000 and in 1913 it was only $5,000,000, so it is just as logical to conclude that the parcel post caused a $7,000,000 deficit as it is to maintain that it gave a $5,000,000 profit.

Before going further we wish to ask the affirmative one question: by what method do you propose that the government shall take over the express business of the United States?

Proceeding with our constructive argument we maintain that the federal government should not conduct the express business of the United States, for

(1) The government can not give as efficient service as the express companies.

(2) The government can not give as cheap service as the express companies.

(3) The composition of the express business does not admit of government ownership.

The government can not give as efficient service as the express companies for the methods of postal administration are inferior to those of the express companies. The Postmaster General receives his position because he is a favorite of the President and not because he is an efficient business man. He is simply a politician that changes with the administration. On the other hand the president of an express company is a business man of the highest ability and holds his position only so long as he makes a success of the business. So great is the efficiency of the express management that the Interstate Commerce Commission report, Vol. 24, says that no express company has ever gone into bankruptcy.

When we look at the efficiency of the Postal Department we see an entirely different story. For the last sixty years the Post Office has given us an average deficit of $5,000,000 a year, although we are the only nation in the world that does not make a handsome profit off of its postal system. And the parcel post system is one of the most inefficient parts of this system. Representative Lewis in his speech February 20, 1914, says that the average parcel post rate is five cents a pound, but the efficiency of the express companies is so much greater that the Interstate Commerce Commission in its investigation of the express companies found that their charges averaged only one and one half cents a pound.



In other words, the efficiency of the express companies is so much greater than that of the post office that the express rates are three times as cheap as those of the parcel post.

Not only do the express companies give a cheaper service than the parcel post but they give a better class of service. The parcel post furnishes no pick up service of any kind, but the express companies furnish both collect and delivery service in ninety per cent. of their offices. Again, the parcel post does not adequately provide for the transportation of breakable packages, money, or valuables, but the express companies ship breakable packages in specially constructed cars or safety trunks. Express companies provide safes and pay trains for the transportation of money and valuables. The express companies furnish refrigerator cars for the transportation of perishable food stuffs, but the parcel post excludes this matter. Also, the parcel post gives no indemnity for loss or breakage, but the express companies cover either loss or breakage of shipments to the extent of fifty dollars. The parcel post does not permit the examination of C.O.D. packages but the express companies permit this. Again, the parcel post gives no receipt so the shipper who uses it is unable to trace the package from his store to the consumer. The express companies furnish a receipt and also trace lost packages, which the government, having no receipt or record, can not do. And furthermore, the parcel post charges extra for insurance, but the express companies insure free of charge to the amount of fifty dollars.

Thus, we see the express companies furnish a collect service, provide for the safety of breakable and perishable goods, give indemnity for loss or breakage, permit examination of C.O.D. shipments, furnish receipts and give free insurance. The parcel post fails to render any of these services. Thus, we conclude that the express companies not only give a cheaper service than the parcel post but also a more efficient service.

Let us now go a step further and compare the postal system with the express companies wherever they have been in competition and see which has given the more efficient service. During the middle of the last century the express companies entered into the service of mail transportation. The post office tried to drive them from this field by competition, but instead of the post office driving out the express companies, the latter made such inroads into the post office earnings that, in order to protect its postal department, Congress passed section 1289 of the postal law which prohibits express companies from the transportation of mail. Furthermore, at any time that the government will turn the postal business over to private enterprise the Sante Fe Railroad will give the government $50,000,000 for the business. Thus we see that private enterprise in the form of the express company gave superior service to the post office and that private enterprise is still offering to do this work at a cheaper rate than the government charges.

The second example of the efficiency of the express companies may be drawn from the fact that during the civil war, when the government was looking for the



most efficient transporter of her bonds and securities, she passed over her own postal department and gave the service to the express companies. And so efficient have the express companies proved in this line of service that the government now transports over $1,500,000,000 annually through them. The Interstate Commerce Commission in its investigation of the express business found that almost twenty per cent. of the packages shipped by express are packages of money. Yet the affirmative maintain that the government should take over the express business, twenty per cent. of which the federal government is unwilling to trust to her own postal department.

The third example of the efficiency of the express companies is shown in their package carrying business. Although the express companies were subject to the competition of the parcel post, which did a 300,000,000 package business last year, nevertheless the increase in the express business was the greatest in history and its rate of increase was over twice as great as that of the previous year.

The efficiency of the parcel post may be drawn from the fact, that although Postmaster General Burleson prophesied a six hundred million package business last year, there was only one half that number of packages carried. And when the parcel post weight limit was increased from eleven to twenty pounds the business, instead of doubling, increased only sixteen per cent.

Thus we have seen that the express companies can give a more efficient service than the government, for,

the express companies are business organizations whereas the government is a political organization; the express companies give a cheaper service than the government; the express companies give a better service than the government; and, in actual competition the express companies have proved themselves superior to the postal service in transportation of mail, valuables, and parcels.

SECOND NEGATIVE, CARROLL FRENCH, MONMOUTH COLLEGE.

Honorable Judges, Ladies and Gentlemen: In answer to our question as to how they would acquire the express business of the United States the gentlemen of the affirmative have stated that they will acquire the express business by the extension of the parcel post and by competition will gradually take over the express companies. The gentlemen from William Jewell are all right in theory but, in the first place, this plan will not work, and in the second place the statement of the question will not allow the affirmative to present this plan as a solution of the problem.

My colleague has shown in his first speech that the express companies are now successfully competing with the government even in the small package business and will continue to do so. Now by the plan which the gentlemen hold out we have no assurance in the first place that the government will ever obtain control of the express business, and that, in the second place, there is very grave danger that the government will not acquire all the express business. We are contending to-night that there is



a special class of the express business which the government should not and can not take over, and by the plan of the affirmative to take over the express business by competition this class of business would never be obtained and the government would assume only that part of the business which it could handle successfully. This affirmative plan then practically admits that there is a part of the express business which the government should not take over. Now since the question by the fairest interpretation demands that the government assume all the transportational express business and assume it right away, the gentlemen can not consistently present this plan in support of their argument. This question does not mean that the government shall take over part of the express business any time it may get ready to do so. That is the condition that already exists. Therefore, the gentlemen must advocate that the government buy the express companies as the first step in acquiring the ownership and operation of them. We await the reply of the gentlemen in their next speech.

My colleague has shown the superiority of the express companies in handling the express business, but not only are the express companies more efficient but they give a cheaper service than the government does, or could ever hope to do. An analysis of the situation shows that the express companies have the economic advantage in the amount of service rendered, in the cost of the service, and in the rates charged for the service.

In the first place, the express companies give a more complete service than does the government. Over ninety

per cent. of small parcels shipment from the city are merchant shipments. This business demands that the express companies provide all the essentials of quick, reliable transportation service. Hence they collect parcels, give receipts to shippers, give a prompt delivery, provide for the insurance of all articles against loss and damage in transit, and special security for valuable packages such as currency, coin, bullion, jewelry, and valuable paper, and special protection of fragile articles against breakage.

In contrast we have shown that the government totally neglects some of these services and only partially supplies the others, does not collect or pick up parcels, gives no receipts, gives only a partial delivery service, assumes no liability for damage, and for loss assumes no liability except on extra payment — and such liability in any event is limited to fifty dollars.

Moreover, as the express companies are liable for damage and loss they must accurately record every transaction, keep records for controlling movement, for locating responsibility, and for tracing shipments when necessary. This involves a system of costly accounting which the government escapes, not because it is more efficient but because it assumes no liability for loss or damage and openly professes to keep no records. Thus we see that the government charge represents a lesser service than the express charge and that it is also based upon certain economies which, if the government were to give a complete service, would disappear.

In the second place, the advantage in the cost of the



service lies with the express companies because they are upon a business basis whereas the parcel post is not on a business basis, and it can not even be computed what its actual cost of operation is. The post office department enjoys an annual subsidy from the public revenue which this year amounted to three hundred and eleven million dollars. Furthermore, through its political advantage the government has not been paying the railroads a just compensation for carrying the mail and many railroads have been carrying the public business at a loss. Only a five per cent. increase was allowed the railroads for the overwhelming increase in weight due to the parcel post. No provision has been made in the recent appropriation bill for increasing the pay of the railroads. In spite of the fact that transportation is the most important item of expense, the government pays only twenty per cent. of the revenue while the express companies pay an average of fifty per cent., and in Great Britain the railways receive fifty-five per cent. of the revenue from the parcel post. Indeed, the Minneapolis and St. Louis Railroad has recently refused to continue carrying the mails unless it received adequate compensation. A bill is now being introduced into Congress which will compel the railroads to carry the mail. Thus the express companies on a business basis have the advantage over the government which underpays the railroads, has its expenses paid from the public funds, and whose actual cost of operation cannot be estimated.

Some people, in spite of the unfair and unequal competition, persist in judging the respective merits of the

express companies and the parcel post by the prevailing rates. But even here we find that the express companies give the cheaper service. A five pound package goes cheaper by parcel post in the first, second, and third zones, but cheaper by express in the remaining six zones. A ten or twenty pound package goes cheaper by parcel post only in the first and second zones, the express rate being cheaper in the remaining seven zones. All packages of from thirty to fifty pounds are cheaper by express in any zone, and the government does not carry this weight beyond the second zone. Thus in spite of the fact that the government rates represent only a part of the service rendered by the express companies, in spite of the aid given to the postal department from the public revenue, and in spite of the low pay given to the railroad, the government is not able to give as cheap rates as the express companies. In short, the government with all these subsidies, with no necessity of making a profit, with all the rights of eminent domain cannot give as cheap a service as the express companies.

But some say that the government by the expansion of the system would be able to give complete service and to handle the business cheaper than the express companies. Let us see. If the government were to extend the service indefinitely it must assume a class of service which it could not handle and which would result in impaired efficiency of the service which it already maintains. The express service includes transportation of prize and blooded stock, race horses, pianos, race automobiles, glassware, liquids, live animals, machines,



carriages, shipments of uncommon bulk and heavy weight; train load shipments of perishable fruits, meats, milk, and other food products requiring refrigerator cars, ice houses, icing en route, and solid train movement on special schedule.

To handle this class of traffic the government would be forced to equip itself for the movement of all commodities irrespective of character, weight, or size. It would have to duplicate the equipment now used by the express companies. Now, the parcel post has paid the railroads almost nothing for transportation and has been aided by public revenue. Up to this point it has been carried on with practically no additional outlay of expense. According to all economic principles the enormous outlay of expense to handle this additional and special class of business will impair the efficiency of the whole service. Its mail contract will not suffice for this business and the government will be forced to pay the railroads a just compensation. In fact, the government has admitted that it can not enter this field of transportation with economy. Postmaster General Burleson has forbidden the parcel post to carry any kind of live stock. The proposal to limit the parcel post to one hundred pounds is in itself an admission that the government can not conduct all the transportational express business. No European system goes over one hundred thirty pounds. In brief, the affirmative are advocating that the government take over a class of business which serves the interest of only a few people, which is used only by

a special class of shippers and which the government itself has admitted it is unable to handle.

Thus we see that even if the government could carry the small package business, it could never hope to cope with this extra and special class of express service. But in addition, we have shown that the express companies on a business basis are successfully competing with the government in the small package business, giving cheaper rates and more efficient service. Therefore, in no respect is the government to be justified in taking over the express business of the country.

THIRD NEGATIVE, LEON HENDERSON, MONMOUTH COLLEGE.

Mr. Chairman, Ladies and Gentlemen: The gentlemen from William Jewell still refuse to state how they expect to acquire the express companies or the express business if they do not expect to purchase the express companies outright. We demand, before proceeding further in the debate, that the gentlemen state how they are going to secure the express business.

In the speech just preceding, the affirmative has gone to some length to show that the people want the government to take over the express business of the country, but the gentleman has drawn a hasty conclusion. The people are, as a whole, very little concerned with the government's taking over the express business. It is true that the newspapers have all been in favor of the parcel post and to that fact alone may be attributed a very large part of the success of the parcel post, for it has received



an immense amount of free advertising. The majority of the people, however, are not interested for the average person sends but one, or at most, two packages a year. And the packages that the majority of the people send are as a rule small. The people are not informed as to the express business, its extent and importance to the country.

The express business as we have it to-day naturally falls into two parts, (viz.) the transportation of the large and of the small package. This makes two divisions necessary in the classification of the service. The small package is sent more often than the large package and more people are directly benefited by the service that carries the small package. This throws the transportation of the small package into a class of service which, under certain limitations, properly belongs to the government. The first of these limitations is that the government can better serve all the people than can any other system; the second is that the government can give as cheap or cheaper service than can be secured by any other solution.

Concerning the first of these limitations we have shown you that the government cannot give as efficient service as can the express companies because of the methods of governmental administration and because of the kind of men rendering the service. Concerning the second we have shown you by actual comparison of the rates that the government can not give as cheap rates in the service that carries the average, or even the small package the average distance, as can the express com-

panies. So we see that even in the small package service the government is surpassed by the express companies.

But in the large package we come to an entirely different class of service. The transportation of the large package introduces new principles into the problem of government ownership and operation of the express business. The government will exceed its function whenever it provides for a service which the majority of the people do not demand and which only a small per cent. of the people can or will use to advantage. Perhaps the government can prepare to carry the average package without excessive difficulty but it cannot prepare to carry the large package without an enormous expense and without an enormous increase in the already over-burdened civil service. The government can prepare to carry the small package easily but it cannot prepare to carry the racing and blooded stock of the country without an enormous outlay of money, and without exceeding its function as a public servant. When we consider that twenty per cent. of all the express cars in use are necessary to carry the racing and blooded stock of the country and when we know that forty per cent. of all the express cars built last year were of the refrigerator type, built for the exclusive transportation of large shipments of fruit and other perishable food products we see that the government cannot justify itself in taking over the express business as it exists to-day. For in doing this the government would provide a service in which only a few of the people are interested and from which only these few will receive any direct benefit.



We of the negative wish to advocate the continuance of the present system under the present plan, (viz.) to continue the express companies under government regulation and to extend the parcel post as use shows the need and as efficiency permits. This will provide for the rural delivery of the small package which is the only excuse for the existence of the parcel post for the parcel post provides for no collect service whatever and cannot compete with the express companies in the service that carries the average or even the small package the average distance between the centers of population that supply the majority of the rapid transportation business.

The use of this system will insure the shipper of justice for the Interstate Commerce Commission has devised a block system of rate that reduces the number of rates from any one point to five hundred and twenty-eight. This makes almost impossible mistakes and over charges. It assures the use of a system of direct routing and in every way makes for the efficiency of the rapid transportation business.

The time may come when the government can handle the transportation of the small or even the average package as cheaply and as efficiently as the express companies. If so it will then be proper for it to provide for such of this service as it can secure by competition but it will never be proper for the government to provide for the transportation of the large package or for any other form of service that a majority of the people do not demand and which a majority of the people cannot

or will not use to advantage for this would be going directly against our principle of government which is to serve the majority.

We have shown you in this debate that the government should not conduct the express business of the country because it cannot give as efficient service as can the express companies on account of the lax methods of governmental administration and the class of men doing the work. Furthermore, the government cannot give as cheap service as can the express companies even in the service which is properly within the function of the government and cannot properly provide for the service which is outside its function, which constitutes a large per cent. of the express business. We have proposed a system which includes all the possible advantages of the plan of the affirmative and none of its disadvantages. We propose to continue the present plan under the present system which is the only wise method of dealing with the express business of the country.

FIRST NEGATIVE REBUTTAL, JAMES KELSO, MONMOUTH COLLEGE

Mr. Chairman, Ladies and Gentlemen: Both sides this evening have been demonstrating the various advantages and disadvantages of the parcel post system and the express companies. Let us now sum them up to see which can give us the most efficient method of rapid transportation.

First, the parcel post carries no parcel over fifty pounds. Postmaster General Burleson has never ad-

vocated a weight limit of over one hundred pounds; and no country in the world has a parcel post limit of more than one hundred and thirty-three pounds. Therefore, government ownership would not furnish service to that large number of express users whose goods are more than one hundred pounds in weight. But the express companies ship any package regardless of size or weight.

Second, the government has forbidden the transportation of live stock by parcel post, and thus under government ownership the live stock transportation business of express companies, which requires ten per cent. of the express cars in the United States, would be destroyed.

Third, parcel post furnishes no refrigerator system for the transportation of perishable foodstuffs, but this business has become so great that forty per cent. of the express cars built last year were of this type. Thus, government ownership will destroy also this section of the express service so necessary to city life.

Fourth, twenty per cent. of the express packages are money; and yet the federal government entrusts its money not to the parcel post but to the express companies. Therefore, the government itself admits the express service is more efficient in twenty per cent. of the express business than is the parcel post.

Fifth, and even in the small package business, where the government and express companies have been in competition, the express companies have proved the more efficient; for, their charges are less than those of the parcel post, being one and a half cents a pound against the parcel post rate of five cents a pound; and the ex-

press service is superior to parcel post service. The parcel post furnishes no form of collect service; the express companies furnish this in ninety per cent. of their offices. The parcel post does not provide special attention for the transportation of valuables or of breakable articles; the express companies ship these in safes and safety trunks and guarantee safe arrival at destination. The parcel post provides no indemnity for loss or breakage, but the express companies refund to the amount of fifty dollars. The parcel post furnishes no receipt so that the merchant can trace his shipments; but the express companies furnish receipts. The parcel post does not permit the examination of C. O. D. packages, but the express companies permit this privilege. And the parcel post charges extra for insurance, whereas the express companies insure free of charge up to fifty dollars. Thus we see that the express companies reach a wider field than the parcel post and in all competitive business give both cheaper and better service.

The second contention this evening has been over the virtues of government regulation and government ownership. The affirmative maintain that government regulation is not a success, but that government ownership would be. In other words, that the government is able to own and operate a business which it cannot as yet even regulate. Such a position also leads them into more trouble. They maintain that the Interstate Commerce Commission is not fit to set as a regulator board over the express companies, but they forget that this same body must sanction every parcel post ruling before it can go

into effect. The fact that the government chose the Interstate Commerce Commission to sit as a judge of parcel post rules is a tribute to the success of that body as a regulator of the express companies.

The best criterion of the virtues of the parcel post and of the express companies is in their patronage. And here we see that the express business for 1913, although subject to competition of the parcel post, was the largest in history, while the parcel post did only one-half the business that its advocates promised, and that business was carried on by giving the people poorer service and higher rates than they could have secured from the express companies.

SECOND NEGATIVE REBUTTAL, LEON HENDERSON, MONMOUTH COLLEGE

Mr. Chairman, Ladies and Gentlemen: We have asked repeatedly that the gentlemen of the affirmative state how they are going to secure the express business, but they still refuse to say except that they will gradually acquire the express companies as the extension of the business demands. They say that they will force the express companies to give them just what is needed to carry on the business. This is only a method of confiscation and a procedure that our courts would not sanction under any circumstances. The affirmative must adopt some other plan of securing the express business, for they can not secure it by confiscation because the courts will not uphold them in this procedure. They can not secure the business by competition, for the ex-

press companies give cheaper rates and better service in the transportation of the large package element of the express business, which is no small part of the transportation business carried on by the express companies. I showed you in my main speech that twenty per cent. of all the express cars are necessary to carry the racing and blooded stock of the country and that forty per cent. of all the express cars built last year were of the refrigerator type. The gentlemen can not justify the government in taking over this part of the business, for it is a service that interests only a small part of the people, a service which the government can not furnish as cheap as it is now being furnished by the express companies.

Furthermore, the gentlemen has charged that a part of the express business is a brokerage business, and so it is. We did not intend to force the affirmative to provide for this part of the business, but since they have assumed that burden, let us see just where it leads. Mr. Walter D. Hines, counsel for the five principal express companies, said before the Interstate Commerce Commission, "The express business is composed of several distinct lines of activity; one of these is the transportation of merchandise; others are buying and selling foreign exchange, purchasing goods for patrons at any point in the United States, Canada, or Europe, where the company has an office, attending to shipments to and from foreign countries, selling consignments of goods and returning the proceeds to the consignor. These and many other services are carried on for the people." Furthermore, Mr. Hines says that fifty-five per cent. of the net

profits of the express companies comes from this non-transportational part of the express business. So the affirmative has assumed the burden of proving that the government should enter the brokerage business.

In closing, I wish to ask again how the gentlemen expect to secure the express business. Every plan advanced thus far has difficulties that make it impracticable. The only plan left is for the government to buy the express companies outright. Are you willing to support this method of acquiring the business?

THIRD NEGATIVE REBUTTAL, CARROLL FRENCH, MONMOUTH COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The gentlemen of the affirmative in their argument have finally consented to buy the express companies as the first step in acquiring the ownership and operation of the express business. Since they have committed themselves to this course, let us see what it will bring them to, and how it compares with our plan. When the government of the United States prepares to spend fifty or sixty million dollars, it is usually careful to see what it is getting in return, for the government has no money to waste. Investigating this proposition, we find that the government would not gain enough to justify the expenditure of such a sum.

In the first place, the express companies have no equipment which the government would need or which it could not buy cheaper new and unused. The express companies own no cars or equipage. The contracts which

the government has with the railroads are cheaper than the express contracts with the railroads, hence under no circumstances would the government wish to take over the express contracts. In short, from the standpoint of equipment and possessions there is nothing to be gained by the government. After all is done, what would the government have after purchasing the express companies? Merely the right to carry on an express transportation business, and it has this right already. Is it good business to pay millions for something which you already have?

Moreover, for the government to buy the express business means that instantly it would have to take over all classes of business now handled by the express companies. Confusion and inefficiency in the government service would follow. It is contrary to all business principles to take a business suddenly before the ability to do that business is ascertained. Moreover, we have shown that such a step could not but result in the impaired efficiency of the service already maintained. This would be exceedingly undesirable to the country at large and would mean financial failure for the government. Thus we see that, from all angles, it would be exceedingly unwise, even foolish, for the government to buy the express companies.

Further, we have shown clearly that there is a special class of business which the government should not and could not handle, the large package transportation which requires special equipment and special organization. This class of business the express companies are han-

dling with economy and efficiency, and there is no desire on the part of the shippers or the government to take this business away from the express companies. The gentlemen have kept silent on this part of the express business, and we can only conclude that they agree with us on this point. Moreover, the government has refused to handle this class of traffic, and this is just the class of business which the gentlemen of the affirmative would have the government handle.

In the course of this debate we have shown that the express companies have a decided advantage over the government in the transportation of the small package. They give a more complete and more efficient service. Their cost of operation is less and the rates offered to the public are cheaper. We have further maintained that when the efficiency of the parcel post is actually demonstrated by competition, we are in favor of its limited extension. But the negative concedes the efficiency of the parcel post in handling the small package only when it is actually demonstrated by competition. When we come to the large package business we maintain that under no circumstances would the government be justified in taking over this element of the business. For, first, it would cost the entire country an enormous amount of money for an equipment with which to serve a favored few; second, all authorities, including Postmaster General Burleson, are agreed that it would be impractical for the government to handle this element of the business; third, it is contrary to the whole theory of government service because it commits the entire community

to a policy of serving the few and thus sets a precedent for the government in the matter of entering any line of business; finally, such an action in the interests of a few would be a discrimination against the majority in that the great expense of maintaining the large package business would increase the rates on the small package service, thus falling upon them.

We have proposed a plan which offers practically all the advantages of the plan of the affirmative and none of its disadvantages. It will provide for the extension of the government transportation of all packages within a proper limit as soon as the government has demonstrated its efficiency by actual competition. Our plan is sure to give satisfaction by securing to the people the best service at the cheapest rates, and leaves to private business that part of the transportation which the government does not want and could not handle, which would cost the public an enormous amount for the special few. Thus from every angle it would neither be an act of wisdom or of economic justice for the government to assume the unqualified control of the express business in the United States.

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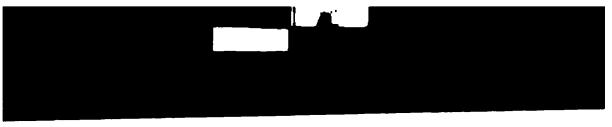


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THE ILLITERACY TEST FOR RESTRICTING IMMIGRATION



THE ILLITERACY TEST FOR RESTRICTING IMMIGRATION

The following speeches were delivered by the debaters of Pomona College in the annual debates of the Southern California Triangular League. (For the purposes of this book the final home clash between the two teams is here presented, the speeches differing slightly from those delivered in the league debates.)

Pomona's affirmative team won unanimously from the team of Occidental College at Claremont. The Pomona negative team won a two to one decision from the team representing the Liberal Arts department of the University of Southern California at Los Angeles. The debates were held February 28, 1914.

The question: "Granting that further restriction of immigration into the United States is desirable, resolved that such restriction should take the form of an illiteracy test."

The Pomona speeches are presented through the courtesy of Mr. Harold R. Bruce, Instructor in Public Speaking at Pomona College 1912-14.



THE ILLITERACY TEST FOR RESTRICTING IMMIGRATION

POMONA COLLEGE vs. *OCCIDENTAL COLLEGE*

FIRST AFFIRMATIVE, WILLIAM G. METZ, POMONA, '15

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: Many years ago men and women, degenerate and criminal, sought to escape justice in Europe by emigrating to the United States. These undesirable immigrants were at once barred. A little later Congress found it necessary to protect our tax-payers by barring the insane and pauper classes of which Europe began to rid herself at our expense. The period of industrial prosperity and growth previous to 1885 made imperative the passage of the Contract Labor Law of that year restraining employers from importing cheap European labor to the great disadvantage of the American working man. Immediately following this legislation persons afflicted with loathsome or contagious diseases were debarred. The exclusion of epileptics and anarchists in 1903 was our latest step taken in the restriction of immigration.

It will not be the last, however, for, already the need of still further restriction is apparent. Let me show this by figures from the 1910 Census report. For the decade



1900-1910 our population increased 15,997,000. Of this number 8,795,000 were imported aliens. That means that the increase of native Americans was 7,182,000, or less than half the total increase. No nation can long withstand such conditions and we are, therefore, led to our discussion this evening by logical reasons.

The question as stated grants the necessity of further restriction already. We have by every new act of exclusion added another class to those previously termed undesirable. We have excluded the criminal and anarchist, and the diseased, in short, by our existing laws we bar the physically and morally unfit. There is but one other class of undesirables. Those undesirables are the illiterates.

As an effective means of further restriction the illiteracy test was first discussed in Congress in 1894 and 1897. Later discussion led to its incorporation in the Industrial Commission Bill of 1902, after which time it received a great deal of favorable discussion from both Houses of Congress only to be dropped to permit the formation of the great Immigration Commission of 1907. This Commission, after spending four years in time and one million dollars in money in a thorough investigation of immigration problems both in this country and in Europe, published a report of forty-two volumes in 1912, and in this report recommended the reading and writing test proposed by the affirmative this evening, as the most feasible single means of restricting undesirable immigration. It is this test which on the 4th of this month passed the lower house of Congress by a vote of 241 to 126.

No form of restriction of immigration can be held to be absolute, final, sufficient for all times and purposes, and without deficiencies. Yet we advocate this form of restriction because of its great efficiency.

According to a statement in Congress by Representative C. W. Bell of California, "500,000 aliens who have purchased tickets from steamship companies on the installment plan will crowd into California ports with the opening of the Panama Canal." It is such situations as these which the illiteracy test meets and it is the only test which will do so, for restriction on a large scale is the only restriction adequate to meet present day conditions.

By calling for further restriction the question calls for something other than better enforcement of present laws; it calls for something other than slight amendments to present laws; it calls for something other than slight modifications of existing laws to operate locally against some particular nationality. It calls for some additional means of excluding on a large scale which shall be operative on all peoples alike and which shall stand as a permanent standard of desirability as do our present restrictionary measures. And the affirmative proposes the illiteracy test as passed by the House of Representatives and recommended by the Immigration Commission which is simply a reasonable reading and writing test in English or in any language specified by the immigrant, as the next logical step in further restriction of immigration.

We advocate this test because (1) it will cut down



immigration numerically and at the same time exclude the least desirable class,— the illiterates — thus filling a need for a quantitative and a qualitative restrictive measure; (2) it is the most widely accepted plan for further restriction; (3) it is an entirely just plan of further restriction; (4) it is practicable; and (5) it is the best plan devisable under existing conditions. The negative must show either that the needs which I have brought forward are not the correct ones, or that the illiteracy test will not meet these needs or that it is not the best plan.

It must be remembered throughout our discussion that the basis for restriction of immigration is the fundamental principle that every nation has a right to exclude those peoples who are a menace to that nation's welfare and stability. The United States, therefore, is under no obligation to accept immigrants upon a basis of comparative worthiness, but upon a basis of comparative desirability as American citizens.

As first speaker on the affirmative I shall first show you that the illiteracy test is the most widely accepted plan of further restriction. Public opinion has always favored this test. Nothing could be more significant proof of this than the history of the test in Congress, the members of which are controlled by and responsive to the will of the people. Investigations in the *Congressional Record* show that bills embodying the illiteracy test have passed one house of Congress or the other eighteen times since 1894 by votes from two to one to ten to one.

President Cleveland's veto in 1897 is of no value in showing public opinion nor in fact in showing the undesirability of the illiteracy test to-day, for at the time of his veto the effect of such a test would have been nil, since illiteracy among immigrants was only 3 per cent. To-day, according to the report of the Immigration Commission, illiteracy is 26.9 per cent., or nine times as great.

Furthermore, his veto was an act of wisdom at that time, for contained in the bill were other provisions which might have caused unpleasant relations with Canada. His opponent in the following campaign, McKinley, was elected on a platform containing a pledge for the enactment of an illiteracy test.

Likewise President Taft's veto in 1913 was the result of other factors than public disapproval of the illiteracy test. He was strenuously urged to veto by Secretary of Labor Nagel, an opponent of all restriction, and he did so in his own words "with great reluctance." So strong was the sentiment in favor of the test, however, that the Senate promptly repassed the bill over his veto and it only failed in the House because some six or seven friends of the measure were absent, not expecting any rediscussion of the bill. The platform of the Democratic Party in our last election also calls for enactment of such a law.

Moreover, this test has the unqualified support of men in all walks of life in America to-day. Representative Austin in the *Congressional Record* for March 18, 1912, says, "I do not think that there ever has been presented

to Congress a more formidable array of petitions in favor of any specific legislative proposition than has come to Congress in support of the illiteracy test. I remember distinctly that (in 1906) there were between forty-five and fifty thousand petitions and there must be in the files and archives of Congress at this time between seventy-five and eighty thousand petitions in favor of this proposition." These came from the legislatures of twelve states, the boards of charity of over forty large cities, over five thousand labor organizations, patriotic societies, farmers' unions, boards of trade, and the like. The Federation of Labor has gone on record practically every year since 1897 as favoring the illiteracy test.

I have shown you that the test which we propose is not without general support in our nation. We shall now prove its efficiency in meeting the needs of further restriction of immigration, first, that it meets the need for a quantitative restriction.

Now all forms of restriction are either quantitative or qualitative tests or both combined. Not all mere quantitative tests are qualitative, but every successful qualitative test must by its very nature of excluding some applicants prove quantitative restriction as well. Such, we shall prove the illiteracy test to be. By the reading of our question the desirability of further restriction is granted, a test is proposed, hence we need but prove the illiteracy test to be both quantitative and qualitative, and may take as a granted provision of the question the need for further restriction.

That the present need for a quantitative restriction exists most strongly because of an oversupply of unskilled labor is evidenced by the cry for a minimum wage; by the insistent demands of the labor organizations for the protection of American workmen against cheap labor; by the report of the Immigration Commission; of numerous charity organizations throughout our country, and recent Congressional investigations in various industries.

The illiteracy test meets this need directly for the greater proportion of unskilled laborers come from southern and eastern Europe, the same territory which furnishes the greatest number of illiterates. According to Hourwich of the Census Bureau and Professors Jenks and Lauck of the Immigration Commission, the races from southern and eastern Europe furnish forty-nine fiftieths of the unskilled laborers and at the same time eighty-one per cent. of our present total immigration, and if I may quote from C. W. Bennett, British Consul General at New York, this immigration is illiterate in the proportion of 35.6 per cent. Turning to the report of the Immigration Commission again, we find that the illiteracy test would have excluded from one hundred and seventy-seven to two hundred and fifty thousand annually in the years 1909, '11, '12. And if, as is stated in the *Congressional Record,* 1,400,000 immigrants came into our country in 1913, using the same averages, over 350,000 aliens would have been excluded. This exclusion of hundreds of thousands is exactly what is recommended by the Immigration Commission in its report of



1912, but it is not the only form of restriction needed. We must have qualitative as well as quantitative restriction, for as I have previously stated no test is valid which does not combine these two features in its action.

That the essential quality now demanded of our immigrants is assimilability is next in order of proof. Heretofore our immigration laws have excluded all those who are likely to prove dangerous or to become dependent upon us, such as anarchists, criminals, diseased, insane, and incompetents. That our laws are successfully doing this is shown by reports of the national investigators, Professors Jenks and Lauck of the Immigration Commission in their book, "The Immigration Problem," based upon the findings of the Commission. They say, "The number of persons afflicted with contagious diseases or insanity or the number of paupers or criminals arriving taken as a percentage of the entire number coming is so small that very little heed need be paid to it." At present, then, existing laws ably exclude the morally and physically unfit.

The only remaining class that is objectionable as a class are those who lower our standards of living by keeping their own low standards in competition rather than adopting our mode of living. Could we transform these incoming peoples into good Americans with social ideals and standards, in other words, could we assimilate them, the need for further restriction would not press itself upon us. To-day the chief dangers of immigration lie in the field of industry and in our social structure. The most difficult problem is to secure the amal-

gamation of our immigrant horde with our own citizens. Any test that will reasonably guarantee the assimilation of those who pass it, will provide the qualitative test demanded by which immigration is now to be further restricted. Such a plan my colleagues will prove the illiteracy test to be.

I have shown you that the illiteracy test is the logical result of years of restrictive legislation, that it is a widely accepted plan of further restriction, that it is a plan which meets the present demand for a quantitative test by cutting down the oversupply of unskilled labor. I have further shown that the present demand of a qualitative test is the provision for assimilability of those who pass such a test. Thus do we lay the case of the affirmative before you.

SECOND AFFIRMATIVE, E. PAYSON MARSH, POMONA '15

Mr. Chairman, Ladies and Gentlemen: The need for quantitative restriction will be met effectively by the illiteracy test, because it will cut down the number of immigrants by about twenty-five per cent., as the first affirmative speaker has shown you. The first negative speaker has attempted to reply to this fact by proposing a plan which would restrict about 80,000 more immigrants per year than our plan. But before he can prove his plan to be a better means of restriction than ours, for that reason, he must show that the labor market needs a greater decrease in immigration than the illiteracy test provides. He must present very definite figures to prove that after the number debarred by the



illiteracy test is deducted there will still be an oversupply of 80,000 unskilled laborers caused by immigration. The burden of proof regarding the oversupply of unskilled labor rests upon him because the very authority that he accepts for the assumption that there is an oversupply of unskilled labor, the Immigration Commission, recommends the illiteracy test as a remedy. He can quote no prominent authority as saying that this test would not bar a sufficiently large number.

My opponent claimed that his plan was superior because it would not bar any Northern European immigrants, then hastened to add that of course if there were any undesirable Northern European immigrants they would bar them after all! Now this is precisely the stand that the affirmative takes. If there were no undesirable Northern Europeans, or Southern Europeans either as far as that goes, we would not bar any at all, but we shall show you that there are a few such, and that these few are the illiterate.

My opponent holds his plan to be just because it does not allow an immigrant to undergo the hardship of a journey if he is to be turned away at American ports. My colleague will show you that our plan has the same feature to recommend it.

My opponent maintains, finally, that our test would keep out many immigrants who were farm laborers in Europe and that our country needs more such laborers. The point I wish to bring before you is that these farm laborers do not go out on to the farms in this country when they get here. About sixty per cent. of the South-

ern Europeans were farm laborers in Europe and only about one per cent., practically none, go into agricultural work here. So even if our plan did deprive us of some of these immigrants it wouldn't deprive us of any farmers, since they do not go on to farms here anyway.

The first affirmative has shown you that the illiteracy test will meet the need of a quantitative restriction because it will effectively cut down the number of immigrants from those countries that furnish us with unskilled labor. He has also shown that there is a need of qualitative restriction, a need of eliminating the non-assimilable classes coming into this country. As stated by him, those immigrants who are undesirable because of personal characteristics, such as the immoral and incompetent, are already barred by the present laws. The need to-day is of keeping out those immigrants who are undesirable because they retain their own low standards of living, thus harming the American workmen, and because they congregate away from Americans, thus destroying our national unity — the non-assimilable.

It is directly at this non-assimilable class of immigrants that the illiteracy test strikes, thus meeting the need of qualitative restriction, as I shall now prove. My first contention is that the illiteracy test will restrict the immigration of each race as that race is non-assimilable. That is, each race of immigrants is non-assimilable to the same extent as it is illiterate.

To prove this I have taken tables of statistics furnished by the Immigration Commission of 1907. The six races



that I have chosen furnish very fair examples of the foreigners who are coming into our country. The Portuguese immigrants contain the largest per cent. of illiterates of any race who come into this country, and the Scandinavians the smallest per cent. Therefore I have taken these two. I have taken the South Italians and Lithuanians because these two races together furnish nearly one-third of all the immigrants from Southern and Eastern Europe. Similarly, I have chosen the Dutch and the Irish because they furnish nearly one-third of all the immigrants from Northern and Western Europe. Sixty-eight per cent. of all the Portuguese who come into this country are illiterate, 54 per cent. of the South Italians, 48 per cent. of the Lithuanians, 4.7 per cent. of the Dutch, 2.7 per cent. of the Irish and four-tenths of 1 per cent. of the Scandinavians. Now compare with the illiteracy of these races their assimilability.

Assimilability, of course, is not one specific thing that can be studied as one characteristic. There are various signs of assimilability that must be sought and studied among the various races of foreign-born in this country, whose presence or absence in each race denotes whether that race is showing itself to be assimilable or not. Let us now consider fair and most important signs of assimilability.

The first sign of assimilability is the freedom from depression by industrial stratification. This freedom from depression by industrial stratification is a mighty factor in the assimilation of any race of foreign born. A race of immigrants who on coming into America are

immediately crushed down into the lowest industrial level, into the least paying work, become inferior industrially to other immigrants. Their inferiority is felt by others as well as by themselves, and industrial stratification along lines of nationality sets in. Since industry is the all-important factor in the social life of the immigrant worker, it is easy to see that the race of foreign-born in the lowest industrial level will have the most difficult time in rising to the American standards of living.

A good index to the industrial level of each race is the average wage paid to the workers of that race. The figures to be presented are from the report of the Immigration Commission. The average weekly wage paid to the Portuguese workers is $8.10, or little over half of $15.32, the average weekly wage paid to the Scandinavian workers. Furthermore, the average wage increases among the races in exactly the same order as illiteracy decreases. The South Italians receive $9.61, the Lithuanians $11.03, the Dutch $12.04 and the Irish $13.01. Judging from the first sign of assimilability, then, the freedom from depression by industrial stratification, we see that each race of immigrants shows itself to be assimilable to the same extent as it is free from illiteracy.

The second sign of assimilability to be considered is learning, on the part of the foreign-born, to speak the English language. The learning to speak English is a great factor in the assimilation of immigrants. If immigrants of any race come into America, work in Amer-



ican industries along with American workmen and do not learn to use the every-day English spoken about them, they are making very little progress towards becoming Americanized.

Consider the figures which show the per cent. of foreign-born workers of these six races in America who have learned to speak English. Of the Portuguese, the most illiterate race, 45 per cent. have learned to speak English, while 95 per cent. of the Scandinavians, the least illiterate race, have learned to speak English. Furthermore, the percentage increases in the same order as the illiteracy decreases — 45 per cent. of the Portuguese, 48.7 per cent. of the South Italians, 51.3 per cent. of the Lithuanians, and 81 per cent. of the Dutch. (I have omitted the Irish since English is their native tongue.) Thus we see again that each race of immigrants is assimilable to the same extent as it is free from illiteracy, judging by this sign of assimilability.

A third sign of assimilability is naturalization. Some foreign-born, it is true, become naturalized who do not make good citizens, but taking it as a general rule, those immigrants who intend to become permanent American citizens and who make worthy members of our society are the ones who become legal American citizens. My next set of figures gives the per cent. of foreign-born workers of the six given races who have become naturalized or have shown their intention of becoming naturalized by taking out their first papers. Included in it are only the male immigrants who were over twenty-one years of age when they entered the country and who

have been here over five years, thus becoming eligible for citizenship.

Five and five tenths per cent. of the Portuguese have become naturalized or have taken out first papers, 89 per cent. of the Scandinavians, 30.1 per cent. of the South Italians, 32.5 per cent. of the Lithuanians, 79.9 per cent. of the Dutch and 82.6 per cent. of the Irish. Judging by this third sign of assimilability we see again the absolute uniformity holding true between illiteracy and non-assimilability.

By these three tests we see that each race of immigrants shows itself to be assimilable to the same extent as it is free from illiteracy. The illiteracy test, then, will restrict immigration from each race in the same proportion as that race is non-assimilable.

My second contention is that the illiteracy test will thus restrict immigration from the non-assimilable races by barring the non-assimilable classes. That is, the illiterate classes are the least assimilable. The unvarying parallelism between illiteracy and non-assimilability in itself indicates that there must be some causal relationship between them. Three facts directly bear out this indication: first, illiteracy renders the immigrant less desirous of becoming a permanent American; second, illiteracy makes the immigrant susceptible to those forces that prevent his assimilation; and third, illiteracy renders the immigrant incapable of becoming truly American.

In the first place, illiteracy renders the immigrant less desirous of becoming a permanent American because,

being unable to read the newspapers and too ignorant to study current events, he has been shut off entirely from the rest of the world. The whole universe to him lies in his stagnant little European village. Anything that he has not seen or heard in this village is new to him. Furthermore, he is bitterly prejudiced against anything that is new. Extreme ignorance always causes prejudice against new customs. He may be enticed to this country by tales of fabulous wealth told him. However, it is his ambition to return some day with his savings to his home in Europe, the only place where surroundings seem natural and proper to him. This reason explains the fact mentioned by the Immigration Commission that a large per cent. of the most illiterate races of immigrants return to Europe with their savings after a few years' stay. It also explains the fact, which I have already mentioned, that a large part of the illiterate races do not take out naturalization papers.

Secondly, even though the illiterate were desirous of becoming a permanent American, his illiteracy makes him susceptible to those forces in this country that prevent his assimilation. The illiterate immigrant is the one who is seized upon by the employment shark and herded off with his fellows to work for less than American starvation wages. The government and charitable organizations print information in his native tongue for his protection, but he is unable to read it. He is as ignorant of the world as a child and naturally turns for information to the spoken word of the leader of his crowd, the padrone. The padrone, the leading figure in

the famous padrone system, is the colleague of the employment shark. Thus the immigrant is at once rendered susceptible by his illiteracy to those forces that impoverish him and prevent his adopting American standards of living.

In the third place, exclusive of the immigrant's desires and of outside influences, illiteracy renders him in himself incapable of becoming truly American. To become truly American he must first of all get a grip on American life and customs. To do this he must not only possess a certain amount of intelligence but must also follow the newspapers. The newspaper has become a necessity for information concerning America,— it is the pulse of national life. Newspapers printed in every foreign tongue have sprung up in America. They are largely American in spirit and necessarily give much information regarding America, since they are printed for the sole use of persons in this country. These papers the illiterate cannot read and thus because of his illiteracy he loses a great aid in getting a grip on American life. I have already pointed out the fact that only a small per cent. of the illiterate races become Americanized sufficiently to use the English language.

In conclusion, those immigrants who receive the smallest wages are in the lowest industrial and social level and therefore farthest removed from American standards of life; those who do not learn to speak English are the least affected by American influences; those who do not become naturalized show the least desire to become permanent Americans. Furthermore, I have shown that



these faults are found among the various races of immigrants to the same extent as illiteracy is found. Thus, the illiteracy test will restrict immigration from each race to the same extent as that race is non-assimilable. I have also proved that the illiterate classes are the least assimilable of the immigrants. The illiteracy test, then, will bar the least assimilable classes from the non-assimilable races. Thus does it meet the present need of qualitative restriction.

THIRD AFFIRMATIVE, HUGH L. CLARY, POMONA, '15

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: Evidently this question presents two aspects, according as we consider it from the American standpoint or the immigrant's standpoint. My colleagues have shown that the illiteracy test meets the needs of a restrictive test from the American point of view. I shall show that the illiteracy test also meets the needs of a restrictive test from the immigrant's point of view, because it is perfectly just to the immigrant. Having established this I shall show that the illiteracy test has one more essential feature demanded of any test — practicability. Finally, by a comparison with the negative plan I shall show that the illiteracy test is the best plan for further restriction that has been proposed.

Nothing could be more unfair to the immigrant than to propose a test which the immigrant has not had and never can have a chance to meet. A superficial examination would perhaps lead one to think that the illiterates have not had a chance to become literate and that ex-

clusion on this basis seems unfair. A careful study of the facts, however, shows that this is not the case, but on the contrary that the illiteracy test is perfectly just to the immigrant because he has had a chance to meet it.

This statement is proved by the chart. The statistics on it are taken from the Cyclopedia of Education and have been substantiated by the Statesman's Year Book and the Encyclopedia Britannica.

STATISTICS TO ACCOMPANY THIRD AFFIRMATIVE SPEECH

Group	*Country*	*No. of Children of School Age*	*No. of Elementary Schools*	*Ratio of No. of Children to No. of Schools*
Southern and Eastern Europe	Italy	3,949,141	61,497	64
	Austria	4,818,870	23,847	202
	Hungary	3,125,000	16,561	188
	Russia	11,664,680	114,837	101
		23,557,691	216,742	108
Northern Europe and U. S.	England and Wales	6,067,075	21,294	284
	Ireland	684,634	8,289	82
	Germany	10,309,949	61,557	167
	United States	17,813,852	265,474	67
		34,875,510	356,614	99

For the purpose of easy comparison I have divided the countries into two groups. The first group contains the countries of Austria-Hungary, Italy and Russia and is representative of our immigration from southern and eastern Europe, since eighty-seven to ninety per cent. of that immigration came from those countries. The second group contains the countries of the most advanced class of northern Europe and the United States. Column one presents the number of children of school age;



column two, the number of elementary schools; column three, the ratio of the number of school children to the number of elementary schools. The chart explains itself. It can easily be seen that Italy actually has more schools in comparison with her school children than any other country on the list; Russia is better supplied than England and Wales, and Germany; while both Austria and Hungary are practically on a par with Germany as far as elementary school opportunities are concerned, and actually better supplied than England and Wales. Comparing now the totals for the two groups we see that throughout that part of southern and eastern Europe from which we receive by far the largest part of our immigration there is on an average one school for every 108 school children, while the other group has an average of one for every 99 children. The difference is so slight as to be insignificant and would entirely disappear were the United States excluded from the list and European countries alone considered.

It is not my purpose to show that these schools are better administered or better equipped than the schools of northern Europe and of the United States. Evidently they are not. The important fact, however, and the fact that concerns us to-night is fully established by these figures. That is, that there are schools in sufficient numbers in southern and eastern Europe. The schools are there and education is free. A test that requires that an immigrant be progressive and industrious enough to have availed himself of an opportunity that lies right before his door is not by any means an unfair test.

It has been argued and indeed it is quite evident that some desirable immigrants will not have availed themselves of these opportunities through the fault of their parents or in rare cases other circumstances over which they have no control. Such an immigrant, however, if he is truly worthy and truly desirable need not give up in despair. He has yet a chance to prepare for and pass this test. Says Representative Foss of Ohio, "I am for this test because it does not definitely keep out the industrious and determined but simply defers the time of their coming." Viewed in this light, the illiteracy test is purely a test of character and ability. It says to the immigrant, "If you are illiterate you must be excluded. We must do this to protect our American standards and our national life. If, however, being illiterate you as an individual still believe you are worthy, still believe you can succeed in American conditions and really intend to become a helpful citizen of our nation, you have yet a chance. We propose this as a test of your ability. Go ahead now and prove your desirability." Thus this test might in a few cases defer the desirable immigrant coming for a year or more. It might require the saving of money in addition to that required for his passage; it might require private instruction from the village priest or attendance at school for a reasonable time; or in many cases it might require self-instruction during the immigrant's spare hours. It would not, however, if the immigrant were industrious, progressive, and truly desirous of coming, permanently exclude him.

It has been suggested that the steamship companies



would establish schools to help the immigrant prepare to pass this test with a week or so of cramming. While the objection is of little importance since the bitterest opponents of the bill in Congress have not attacked it on this ground, yet to avoid any seeming inconsistency it will be treated here. The illiteracy test is a real educational test. The immigrant does not know what he will be called on to read and what he will be called on to write. To pass the test he must be able to read and write practically anything in his native language. This is surely not a test for which the lowest classes of our immigration can prepare in a few weeks' cramming, but one for which the desirable, industrious, and intelligent illiterate must and can spend a reasonable amount of time in preparation. Thus the steamship companies could establish these schools — but there is little likelihood of it — to help the few industrious and intelligent immigrants who would need such help.

Not only is this test fair to the immigrant because it is a test which he has had or can have a chance to meet, but because it saves the immigrant much hardship. Many of the tests which have been proposed for the restriction of immigration would require the deportation of many immigrants annually. Such deportation is attended with much hardship and suffering and would be entirely unnecessary in the case of the illiteracy test. This test would be self-applied by the immigrant and should cause no immigrant to leave his home. Every immigrant knows before he leaves his home whether he is illiterate or not, and even should he find his way to the

port of embarkation it is not likely that the steamship companies knowing that they must return all immigrants free of charge who are not admitted would accept him for passage.

In dealing with a complex problem such as restriction of immigration practicability is an important consideration. The illiteracy test is a practical means of further restriction. The test is perfectly definite and easy to apply. It is not a test requiring elaborate inspection, since it is merely necessary to determine the applicant's ability to read and write. This does not require especially expert inspectors, but merely interpreters, of which we now have a great number. Perhaps the most conclusive evidence, however, of the practicability of the illiteracy test is found in the report of the Immigration Commission. This commission after four years' careful study recommended this test, stating definitely that it was the most feasible method of restriction.

The illiteracy test would be inexpensive. As has been shown before, the test would be self-applied by the immigrant and by the steamship companies. Thus, by greatly decreasing the amount of our immigration, this law would greatly decrease the number of expert inspectors required along other lines, for fewer immigrants would require fewer doctors, insanity experts and others whose salary must necessarily be large because of the nature of their work. It is hardly likely that the increase in the number of interpreters required would very much more than equal the decrease in other inspectors.



Many of the plans proposed for the further restriction are ineffective because they are easily evaded. The illiteracy test is not such a test. As has already been shown the steamship companies could not by a few weeks of superficial cramming prepare the immigrant to pass this test. Neither can any one else enable him to evade it, for literacy is something that can be proved by personal action only. The inspector would not have to take the immigrant's or any one else's word as to the applicant's literacy, he would not have to accept a certificate perhaps forged, he would not have to investigate the man's past record, but would merely put before him the printing he should read and give him a pencil with which to take down dictation.

What now of the plan our opponents have proposed? Their numbers plan has practically the same effect as ours. Both exclude large numbers; both discriminate in favor of the northern European. That their test excludes a few more thousand is of little consequence. Our opponents have not shown that a four per cent. test would be better than a three per cent. or five, that two hundred and fifty thousand is any better than two hundred thousand. Evidently we must not exclude too many nor too few. They have not, however, shown that four per cent. is the desired number, while on the contrary by the very significant parallelism between illiteracy and non-assimilability we have shown that the number that should be excluded has a definite relation to the illiteracy of our immigration.

Casting aside now quantitative restriction — since the

two plans have here much in common — we find that the real issue of the debate lies between consular inspection and the illiteracy test as a means of qualitative restriction.

The consular certificate plan is impracticable. Proposed over twenty years ago, it has never succeeded in getting itself seriously considered. It would require a greatly increased consular force for enforcement with the slightest degree of efficiency. If such inspection were in operation to-day many consuls would have to examine over five hundred immigrants a day. Every consul who was empowered to grant certificates, and there would be a great many, would have to have a physician, interpreter, and numerous clerks to help him. In fact, if efficiency were to be maintained every consulate would have to be a little Ellis Island. Yet we could not abolish our machinery at American ports, as we could never be sure the certificates were conclusive. Obviously such a plan as this would involve an enormous expense. The expense, however, would not be so serious an objection were the plan of any avail. The most serious objection is that the consuls are in no better position to ascertain the worth of the immigrant than are the inspectors in our ports. Evidently each consulate could not have highly trained physicians and insanity experts such as are employed on Ellis Island, but would in many cases be obliged to employ natives who would be in sympathy with the immigrant. Furthermore, the consular inspection must be either public or secret. Foreign governments would not, however, tolerate secret extra-ter-

ritorial courts such as these consular offices would be. They would thus have to be public and the foreign governments would use every power to keep at home strong, healthy, worthy citizens fit for military service and would assist in the emigration of those members of the community of whom they desired to be rid.

Finally, consular inspection as applied to present Chinese immigration has been a failure in actual practice. The report of the Commissioner General of Immigration for 1903 states that consular inspection is practically of no avail; that the holders of certificates given by the consuls deny the statements made therein, and in other ways show that the law is complied with in a purely perfunctory manner. Again in the report of the Commissioner General of Immigration for 1910 we read, "It can therefore be stated with no possibility of contradiction that at least eight per cent. of the Chinese who in the past year obtained from their own government the certificate mentioned and succeeded in having such certificate approved by the United States consular officers were frauds and impostors."

Ladies and gentlemen, we have shown you the two needs of restriction — an immediate quantitative and a permanent qualitative need. We have shown you that the illiteracy test meets these needs, that it is a widely accepted means of meeting these needs, that it meets them in a manner just to the immigrant, is practicable and easy of operation. Finally, we have shown that the plan of our opponents cannot meet the great qualitative need because it is impracticable. Because the illiteracy

test does all this, because it does it better than the plan which the negative have proposed, we advocate for the further restriction of immigration the illiteracy test. It is a fair test, an adequate test, sound in principle and effective in practice.

AFFIRMATIVE REBUTTAL, E. PAYSON MARSH, POMONA, '15

Mr. Chairman, Ladies and Gentlemen: By the discussion this evening we see the following need for the further restriction of immigration: Foreign laborers have been able to displace American laborers and to lower the standards of American workers by working for lower wages. While damage is done by the over-supply of labor, yet if the foreigners were not able to work for less than American wages they would not tend to lower the American standards. The key to the situation, then, lies in keeping out the non-assimilable immigrant — the one who does not adopt American standards of living. Both sides have endeavored to prove that their plans will strike at this non-assimilable class and will restrict effectively enough to lower the over-supply of unskilled labor.

Regarding the numbers restricted by the two plans our opponents have claimed that their plan is superior because it will bar about 80,000 more per year than our plan will. Yet in spite of our demand that they do so, they have not in any way shown that there is any necessity or reason for restricting 80,000 more than our plan will eliminate.

Our opponents, in connection with this very original



system of four per cent. white stock restriction, have added a complicated and patched-up system of qualitative restriction in their frantic efforts to keep out the non-assimilable class of immigrants. I wish to remind you again that their plan is entirely new and has never been recommended or suggested by any authority on immigration.

My colleague has already shown you why it is impracticable. Let us now consider just how they propose to keep out the non-assimilable. First, they intend to keep out the immigrant who expects to make his destination the slums of a crowded city. I suppose they expect an immigrant to state truthfully while in his native land what his destination is to be on his arrival on American soil, even though such a statement might mean his debarment. May I ask how they would know whether he were truthful or not?

Furthermore, they have not been very specific in stating just how they can ascertain whether a man has already been in this country when he asks for a passport, even though they expect somehow to keep out the "birds of passage." Our opponents expect to bar the non-assimilable by favoring the man who brings his family and discriminating against the single man. As it now is, the immigrant who expects to stay in America but a short time leaves his family in Europe. It would be necessary for such a man to bring his family along with him and then take them back on his return. This would mean simply an added expense to enable him to enter this country. Also, many men who really intend to stay

cannot afford to bring their families with them, but send for them later. This practice would not be permitted, at least, would be made very difficult by their plan. In both cases the results would be dangerous. Such a plan would result in untold hardship and poverty. New problems of pauperism, deceit, and dishonesty would stagger the nation.

As second speaker on the affirmative I showed that the illiteracy test would fill the need of a qualitative restriction by eliminating the least assimilable immigrants. First, it would restrict the immigration of each race in the same proportion as that race is non-assimilable; second, it would bar the least assimilable class of each race. In proof of my first contention I showed by statistics that each race exhibits signs of assimilability to the same extent as that race is free from illiteracy. The three signs of assimilability considered were freedom from depression by industrial stratification, the learning to speak English, and the taking out of citizenship papers.

My opponent attempted to explain why the literate races stand higher in the industrial ranks than the illiterate. He said that those races receiving higher wages do so because they are nearer akin to us in language and custom and have been in this country longer. Observe that the Scandinavians are freer from illiteracy than the Irish and receive a proportionally higher wage. The Irish, as you know, speak English and live under English rule. If what my opponent said were true they would receive the higher average wage of the two. But they do not.



My opponent also stated that the literate races learn to speak English more readily than the illiterate not because of their literacy but because their native tongue is more closely allied to the English. A study of the figures disproves this. The Dutch language through the Old German is more closely allied to the English than any other European language,— far more so than the Scandinavian. The Italian tongue is at least as nearly related to the English as the Scandinavian though through a different branch. Yet we find that these races learn our language in exactly the same proportion as they are free from illiteracy. Again my theory is substantiated.

My opponent's contention that the difference in the time that the various races have been in this country makes a difference is also disproved by facts. Ten years is sufficient time in which to learn a language and if we consider only those immigrants from the various races who have been in this country over ten years we find exactly the same proportions holding true. Furthermore, the foreign born in this country at the present time from the two sections have been here an equal length of time. For thirty years the immigration from southern Europe has been equal to, and for twenty-five years about three times as great, as the immigration from northern Europe.

Thus we have proved that each race is assimilable to the same extent as it is free from illiteracy. We have not stopped at that, however. We have brought up three reasons why illiteracy causes non-assimilability. These our opponents have entirely ignored.

In conclusion, both sides this evening have granted that

further restriction of immigration is desirable because there is a real need of eliminating those classes of immigrants who do not adopt American standards of life. The affirmative have proved that the illiteracy test will accomplish this, because we have shown that each race of immigrants is assimilable to the same extent as it is free from illiteracy. Furthermore, illiteracy is directly the cause of non-assimilability, for it renders the immigrant less desirous of becoming a permanent American, it renders him more susceptible to those factors that prevent his assimilability, and renders him in himself less capable of becoming truly American. The illiteracy test, then, would bar the least assimilable class from the non-assimilable races, thus meeting the need of qualitative restriction. It will not only accomplish this, but will do it effectively, because it will bar a large and significant number, as the first speaker showed you. It will do it justly, because it is a reasonable test and will not work hardship on the prospective immigrant; it is also practicable and easy of operation.

Recognizing the same evil as the affirmative, the negative has proposed a remedy complicated, impracticable, and not suited to the needs. The affirmative, on the other hand, proposes a remedy that is simple, just, and effective. We advocate its adoption.

POMONA COLLEGE vs. *UNIVERSITY OF SOUTHERN CALIFORNIA*

FIRST NEGATIVE, DONALD F. FOX, POMONA '14

Mr. Chairman, Ladies and Gentlemen: As I sat and listened to the argument of the preceding speaker; as I heard him tell of the over-supply of unskilled labor that to-day crowds our industries, and the low scale of wages caused by this over-supply, I thought, "How true it all is." On every hand we see evidences that the economic and industrial conditions stated by the previous speaker are present, and to-night the affirmative is no more desirous of alleviating these conditions than is the negative. The purpose of the debate this evening is to seek the best solution.

Admitting then the need, we have only to discuss plans. What is the best method of dealing with the needs for further restriction which have been brought forth? The affirmative proposes the literacy test as the best method, and claim, in proposing it, that its desirability is evidenced by the fact that it was recommended by the Immigration Commission. This is to some degree the case, but lest you should misinterpret the real attitude of the Commission on the subject, I wish to read directly from the report which it submitted. They present seven different plans of restriction saying that each one would be effective in securing restriction to a greater or less degree. They then state that "the majority of the Commission favors the literacy test as the most feasible single test

method of restricting immigration." They believe it more feasible because it is the plan which has been before Congress several times and has the best chance of being passed. In suggesting it as the most feasible single test, they signify that they believe it to be better than any one of the other named tests.

We, of the negative, after taking into consideration the character of the needs for restriction which are presented, propose a combination of two restrictive measures compatible in themselves which we believe we can show to be superior in meeting these needs to any single plan including the literacy test.

The first part of our plan is very similar to one of those suggested by the Immigration Commission and is as follows: — We would limit the number of each race arriving each year to four per cent. of the stock of that race which were in our country at the time of the last census. For example, the last census shows the Italian stock, i. e., Italian-born and descendants of Italians, amounted to 2,098,000. According to our plan, four per cent., or about 84,000 would be admitted from Italy each year until the next succeeding census report was issued. As is readily seen, this plan will permit the entrance of immigrants each year only in the same proportion of nationalities as constitute our nation at present, so that the fusion of each year's immigration would result in the American type as constituted to-day.

The second part of our plan is what is generally known as the Consular Certificate plan and embodies the following features: — The United States Government would



each year issue to the head American consul in each foreign nation certificates to the number of four per cent. of those peoples of that nation then in the United States. Consuls shall be placed in all of the larger cities of those foreign lands and the certificates shall be distributed among them by the Head Consul according to the relative number of immigrants which generally come from his district. Applicants for admission to the United States must apply to the consuls for certificates, and must produce before him evidence of their desirability as prospective Americans. The consul would grade these applicants, placing them in different classes of desirability; — desirability being determined in general by appearance, intention of bringing wife or family, occupation, destination and purpose in coming and length of proposed stay. Assistants would be used to verify local information, and also various records as police records, emigration records now required by the Italian government. Similar grading of men in our country is done by the Dun and Bradstreet Agencies which have completed a system whereby they will supply information concerning any man who is in business, concerning his business standing, reliability, religion and political status — all for the small sum of $.35. In these foreign nations which are so much smaller than the United States the same grading principle could be applied, although the operation would be much simpler and require only a slight verification of evidence which is produced by the applicant. It is obvious that the immigrants falling into the

higher classes would receive the certificates of admission, and no immigrants would be admitted without one.

Let us turn to the comparison of the plans, first with regard to the quantitative features. How many immigrants would each plan restrict, and from which countries would the greater numbers be excluded? According to the figures of the report of the Commissioner General of Immigration for the fiscal year ending June 30, 1912, a fraction under twenty-five per cent. of the total European immigrants, or about 180,000 were illiterate and the test proposed by the affirmative would cut down on immigration to that extent. Taking figures from the 1910 Census, the four per cent. plan of the negative would, on the other hand, make a little more certain the reduction of this over-supply and cut down thirty-three per cent., or about 240,000 of the present immigration, for most of the European countries are sending to-day more than four per cent. of the stock of those countries now in United States, or about 60,000 more than provided for in the literacy test. During the rest of the debate we wish to compare the plan of the affirmative and that of the negative as to justice and effectiveness as quantitative and qualitative restrictions, believing that such a comparison will show the negative plan to be superior in each of these matters.

Then consider the effect these plans would have on the numbers of immigrants coming from various countries. It is held by the Immigration Commission and by the affirmative that what they call the new immigra-



tion, that is, the people from Southern and Eastern Europe, as Italians, Greeks, Russians, Austrians, Hungarians, etc., are less desirable than the old immigrants who are those from Western Europe — the English, Irish, Germans, Belgians, etc. Granting that this is true, what races would the proposed plans affect the most? Which would be the more effective in eliminating the greater number of undesirable races and at the same time let in most of the more desirable immigrants? We have seen that the literacy test would cut down 177,000 on European immigration — some of whom would necessarily be of the old immigration — who are the more desirable immigrants as even some of these are illiterate and would fall under the test. The four per cent. of foreign stock plan, however, would cut down 60,000 more in all and would not cut down a single one from such countries as England, Ireland or Germany. Do you say that there are some undesirables among these nations of old immigration who should be excluded? Undoubtedly so; and we have provided for their exclusion after their undesirability has been shown by logical, reasonable tests. Such work will the consuls perform in their examination, and these undesirables who are eligible under the four per cent. test will be eliminated through consular inspection. To take specific instances the literacy test would cut over 2,700 Germans, and the four per cent. of foreign stock plan would not eliminate any of them, unless as previously stated, some were found on consular investigation to be undesirable for specific reasons. Turning to one of the leading nations which furnish the new or more

undesirable immigrants, Italy's immigration would be cut down about 55,900 by the literacy test and the four per cent. plan would cut it down about 78,000. By these figures it is readily seen that, granting the claims of the affirmative that the new immigration of Southern Europe is the less desirable, the four per cent. plan advocated by the negative eliminates more of the undesirable races than does the literacy test. Because of this and because, as previously shown, the four per cent. plan would deal with the over-supply of labor more effectively by cutting down a sufficiently large number to have a marked influence on the over-supply, we believe that as a quantitative test in the restriction of numbers, the plan of the negative is superior to the literacy test.

Turn now to the matter of justice to the immigrant, for he too must be considered. We believe that our plan would prevent several forms of injustice which would be thrown on the immigrant, should the literacy test be put into effect. In the first place there would be a certain number of immigrants, who, though unable to pass the literacy test, might on strength of their ability to pick out a few words, take passage for America, spending several weeks of their time and probably all their money in making the voyage only to find out that they could not pass the test. Many immigrants at present take the voyage in the hope of slipping through although they have some defect that would bar them, such as a contagious or loathsome disease or form of mental defect, and there is no reason to suppose that many immigrants with a scattered knowledge of a few words would



not come over with the same hope of getting by the officials some way or other. Obviously they would have been far better off had they not started, but had found out their inability to enter the United States before they had bought their tickets. This is precisely what the consular certificate plan does. If a man is undesirable because he intends to come over for a few years only and make a little money to carry back or because he has a good many criminal tendencies or is lazy, or other such reasons, they will be discovered upon investigation by the consul, and he will not be given a certificate; and every immigrant will know beyond doubt that without a certificate he cannot gain entrance into our country and there is no possibility of his sliding past the inspectors in any manner. We claim that any plan that will thus prevent the undesirable immigrant from needlessly wasting his time and passage money is a desirable and just plan.

Furthermore, the literacy test discriminates arbitrarily in favor of the man from the city, and such discrimination is unfair to the farmer as well as giving us the more undesirable class. It is as true in every foreign country as in our own that schooling is more easily obtainable in the city than in the country. This being the case, if the farmer has not the same opportunity as the city man, it is hardly fair to discriminate against him on that account, and aside from this matter of justice to the immigrant, we must consider our own national welfare, for on the whole, the farmer — the sturdy tiller of the soil — is the man we most want in America to-day rather than the man with the tendencies of congested

city life. The farmer is conceded to be a healthier, more rugged type than the city man. Yet the literacy test gives him less opportunity of entrance. The consular certificate plan, however, makes no such discrimination. If a man can produce evidence before the consul to show that he will make a desirable citizen, he will receive a certificate whether he is from the city or the country. This, we believe to be the more just method of dealing with the immigrant. It does not discriminate in favor of any one class, unless it be the desirable class, and as said before, it would prevent many a poor immigrant a useless waste of time and money in the voyage.

I have pointed out, then, that the four per cent. Consular Certificate Plan, advanced by the negative is a more effective quantitative test, limiting to a more effective degree the amount of unskilled labor, and in addition cutting out more of the undesirable and fewer of the desirable races than would the literacy test. I have pointed out several instances in which the plan of the affirmative would be unjust to the immigrant and showed how the Consular Certificate plan would avoid this injustice.

My colleagues will continue the comparison, showing that the plan of the negative is more effective in showing assimilability and is a more true test of the real quality and value of an immigrant.

SECOND NEGATIVE, FRED N. EDWARDS, POMONA '14

Mr. Chairman, Ladies and Gentlemen: In the discussion this evening both the affirmative and the negative



have agreed upon the necessity of a qualitative test for the restriction of immigration. Both have agreed that a qualitative test is one which will aid in determining, above all, the assimilability of the immigrants. The affirmative is no more desirous of debarring the non-assimilable immigrant than is the negative.

As the affirmative has said, assimilability is not one specific characteristic of an immigrant, but is rather determined by various signs and factors. We admit with the affirmative that the new immigrants from countries of southeastern Europe are less assimilable than those of the class of old immigrants coming from the countries of northern Europe. We do not, however, accept the factors and standards presented by the affirmative as those which determine assimilability. Industrial depression as indicated by low wages, ability to speak English, and the taking out of naturalization papers are the factors of determining assimilability which they have presented. Of these we accept ability to speak English as a factor of determining assimilability, but we hold that there is no causal relationship between this factor nor any others advanced by the affirmative and literacy. My opponent has shown a parallelism between the literacy of races of immigrants and a predominance of these so-called factors of assimilation. But a parallelism does not prove a causal relationship. By parallelism we could prove the most absurd propositions as caused by illiteracy. We find from the reports of the New York police that of the persons treated for alcoholism by them a greater percentage of the cases were among the old immigrants —

the literate races — than among the new immigrants. By the argument of parallelism, then, used by the affirmative, we could prove that literacy is the cause of alcoholism.

Why do the Scandinavian workers receive almost twice as much wages as is received by the Portuguese? Is it because of any higher percentage of literacy among the Scandinavians? Why do the Irish receive more than the South Italians? Is it because of their greater literacy? Not at all. The Scandinavian and Irish workmen come from the countries of old immigrants while the Portuguese and South Italians are of the new immigration. Here then is the nswer. The old immigrants have been coming to us since the foundation of our nation and have had time to establish themselves in our industrial institutions, and can thus command a higher wage. The new immigrants, coming to us in large numbers only since 1882 have not had sufficient time to so establish themselves as to command the wage of the old immigrant. We must not judge of them too soon.

Does literacy necessarily insure ability to speak English? Not at all. Literacy is the ability to read and write in any tongue or dialect. Would an illiteracy test which passes a man capable of reading in French, Italian, German or Norwegian insure his ability of speaking English? But the affirmative answers "The old immigrant learns to speak English more rapidly than does the new immigrant." "Because of his greater literacy?" I ask. No, but rather because of the similarity of the French, German, Scandinavian and English languages — all of the Anglo-Saxon tongue. The new immigrants speak



the Latin tongue and, therefore, find greater difficulty in learning to speak English.

What, we are asked, about the greater tendency of the old immigrants to take out naturalization papers? We answer, Can you prove that literacy is the cause of such a tendency? The immigrant takes out his papers to enable him to secure work more readily, or to escape being called home to military service, as often as he does simply to become an American citizen.

So we say to the affirmative: Do your standards prove assimilability? Does literacy have any causal relationship to the predominance of these standards among the old immigrants?

It shall be my purpose to analyze the causes of non-assimilability of the foreigners and step by step to compare the Illiteracy Test with the four per cent. Foreign Stock-Consular Certificate plan, showing wherein the Illiteracy Test fails to eliminate, selectively, those who display these signs of non-assimilability, and how the plan of the negative aids in determining the probable assimilation of immigrants, according to the factors of assimilation observed by consular examinations.

The great centers of settlement of immigrants are in our large cities. Here they gather in vast numbers, settle in racial colonies, and are thus cut off from American influences. But what is the cause of such congestion? Is it illiteracy? Is it a peculiarity of any race or peoples? Surely such contentions cannot be substantiated. Figures show that even our own native population has shown a marked historical migration toward the city.

In 1790 but four per cent. of our population was urban, while to-day the percentage is thirty. If we turn to the report of the 1910 Census we shall see that the illiterate foreigners show a greater tendency to scatter into the country than do the literates, as the chart will show.

District	*Literates*	*Illiterates*
United States	11,294,168	1,650,361
Rural	3,134,665	477,870
Per cent.	27.7	28.9

(Figures from the U. S. Census Report.)

From these figures it is seen that of the total literate foreign-born in the United States twenty-seven and seven-tenths per cent. are rural, while of the total illiterate foreign-born twenty-eight and nine-tenths per cent. are rural. The difference, to be sure, is slight, but nevertheless it shows that man for man the illiterate shows a greater tendency to break away from the congested city than does the literate.

The affirmative cannot deny that congestion of foreigners in the city is one of the greatest barriers to their assimilation. Yet statistics show that illiterates do not congregate in as great a proportion as do the literates. Will you show then how an illiteracy test will eliminate those who are most apt to congregate in the cities, or in other words, those most non-assimilable on that basis?

Now what are the causes of this hindrance to assimilation? What influences tend to hold immigrants in the

cities? These causes are educational, social, and economic. The city is the center of all these aspects of life. The immigrant, wishing to educate his children, naturally stays in that locality where schools are more numerous, have better equipment, and are more accessible; that is, in the city.

The immigrant also stays in the city for its social advantages, but chiefly does he join the throngs in the city because of an economic reason. It is in the city that he finds a diversity of needs to be satisfied. As a result he finds ready employment obtainable. As an unskilled workman he has a breadth of choice; he can start as an apprentice in any one of a multitude of trades; he can find employment as a day laborer; or he may start, independently, in a business which requires little capital, such as fruit stands, lunch counters, shoe shining parlors, and the like.

These educational, social and economic influences are the causes of congestion in cities. But wherein would an illiteracy test eradicate such tendencies? Assimilation is not a problem of literacy, but rather one of distribution. What is most needed is a plan which can wisely guide the immigrant away from the over-crowded city, and point out to him a region free from congestion and yet open to employment. Can an illiteracy test do this? The literate immigrant is only the more susceptible to schemes of unscrupulous agents of the city, who seek personal advantages at his expense.

But, you ask, does the negative plan provide better for this condition? Yes, in various ways. In the first

place it provides a greater quantitative restriction, than does the illiteracy test, and so lessens the numbers of incoming foreigners. Turn to the table, figures for which I have compiled from the report of the Commissioner General of Immigration for the fiscal year ending June 30, 1912, and from the United States Census Report for 1910.

European Immigration — Admitted in 1912:

Old Immigration	161,533
New Immigration	557,342
Both	718,875

Illiteracy Test:

Old Immigration	Would have been admitted...	156,789
	Illiterate	4,744
New Immigration	Would have been admitted...	399,712
	Illiterate	157,630
Totals	Would have been admitted...	556,501
	Illiterate	162,374

Four Per cent. Stock Test:

Old Immigration	Restricted — none.	
	Admissible	314,700
New Immigration	Would have been restricted..	242,642

From these figures it is seen that in 1912 the illiteracy test would have excluded approximately 162,000 while the four per cent. stock test of the negative would have excluded approximately 242,000, which is an advantage of 80,000 in its favor. This alone makes the plan of the negative more effective in decreasing numbers of the probable members of congested districts than the illiteracy test.

But aside from the automatic decrease in the intensity of the problem, our plan, by its added feature of the consular examination, would tend to aid in the distribution of the assimilable immigrants; a function which the illiteracy test cannot perform. It cannot directly control the flow of immigrants nor deviate this stream from the cities, and no authentic statistics can be shown to prove that it can. Such a guidance, however, is one of the two direct purposes of the consul's inspection. He would establish his position, not primarily as a restricting agency, but would rather act as a sifter of immigration; analyzing and choosing the more desirable, directing it for its own good as well as that of the United States to those regions where advantages best suit the case at hand. Thus the negative plan is not only more effective as an automatic restrictive agency, but is also a selective, directing, distributing agency, sending the immigrant to regions where, free from native racial associations, he may be moulded into conformity with American life.

Even with congestion decreased and the immigrant placed in contact with American influences, it is apparent that time will be required to bring about their amalgamation. Permanence of residence is the only means by which assimilation is assured, and all points considered the final test of permanence of residence is the presence or prospect of immediate presence of the immigrant's family. With this assured, the penetrating influences of Americanism will gradually begin their work. Little by little the foreigner acquires a knowledge of the

English tongue, a knowledge which increases with the length of his residence. One can readily see the advantages of the establishment of such a method of living. Through the use of the one English tongue an ever-ready medium of intercourse is gained, an intercourse which leads to community of thought and unity of belief, by which customs and standards of living are equalized — in other words, by which assimilation is assured.

Then through the family life the immigrant is broken away from the foreign tendencies of racial colony life, and moves on toward conformity with social standards. His interests lie in providing for his home and he is impressed with the advantage of adopting American standards. He sends his children to school and thus there is brought into his home a new contact with American life. Slowly the adult changes his mode of living into conformity with this newly found standard.

Such a method of assimilation is that which is made possible by the consular certificate plan. The consuls determine at the ports of embarkment the purpose of the immigrant in going to the United States, his intention of permanence of residence, and the establishment of family life. Only where such intention is shown would the certificate of admission to our country be granted.

Can an illiteracy test accomplish this? There is no guarantee that the literate man will not return to his native land at the first opportunity. In fact, his literacy only keeps him more closely in touch with his native land. Literacy, it must be remembered, is interpreted to



mean the ability to read in any language or dialect. If an immigrant reads only in his own language he can read only those papers and periodicals which are printed in that language. Such material is often full of race prejudice and is as anti-American in spirit as it is in language. I have at hand a French paper, printed in Los Angeles Feb. 7, 1914, in which is found an article of over a column in length which deals editorially with the subject which is called American imperialism. A bitter charge is made that under the protection of the Monroe Doctrine the United States is promoting a scheme to gain control of all Central America and Mexico. This is the product of a literate immigrant. Does contact with such material promote assimilation by American influences? Wherein, then, does literacy in a foreign tongue necessarily aid in gaining contact with American standards? Indeed I raise the query, would not assimilation be more rapid among those immigrants who cannot read their own language?

Thus far I have attempted to show that the consular examination aids in admitting, man for man, the more assimilable immigrant. Let me now show how our plan admits the more desirable immigrants as a class, and at the same time debars the non-assimilable class. This is accomplished by the limiting of the annual inflow of immigration from each country to four per cent. of the native stock of that country residing in the United States.

We have seen the comparative quantitative restricting powers of the illiteracy test and the four per cent. test

against the old and new immigration. The four per cent. test is quantitatively more effective against the new immigration than is the illiteracy test. The illiteracy test in 1912 would have debarred 157,630 of the 557,342 of the new immigration admitted in that year, while the four per cent. test would have debarred 242,642,— its total restricting power for that year. Of the old immigration the illiteracy test would have debarred 4,744 of the 161,533 admitted in 1912, while the four per cent. test would have debarred none. In fact, the four per cent. test would have permitted the admittance of more of the old immigration than actually did come in 1912.

Now understand, however, that we do not say that this increase in the numbers of the old immigration coming to us would or should take place. Some of these foreigners which would be admissible by the four per cent. test alone, would doubtless be excluded by consular examination. But taken upon the sound principle that we can assimilate peoples in a proportion as their stock is now present in our country we could assimilate the total number of peoples styled old immigration, which would be admissible by the four per cent. test.

Both the affirmative and negative agree that the old immigration is more desirable than the new. But why? Is it because of any standard of literacy? Not at all. It is because the old immigration is composed of peoples who are more closely allied to us in blood, habits, customs, and standards. They come to us from a stock of peoples who constituted our own ancestry. They come more predominantly with the intention of per-



manence of residence and accompanied by their families. For the years 1908, 1909, and 1910 the Commissioner General of Immigration reported that for that period, of every one hundred of the new immigration admitted thirty-eight returned to their native country, while of the same number of the old immigration only sixteen returned. The Immigration Commission reported after their investigations that of the married immigrants from the class of new immigration forty-four and one-tenth per cent. left their wives abroad, while of the married old immigration only two and seven-tenths per cent. left their wives at home. These are the reasons for the desirability of the old immigration. They possess more predominantly those qualities which aid in their assimilation. But these qualities are not due to any high percentage of literacy.

So we see the fundamental basis upon which the illiteracy test and the plan of the negative restrict immigration. The former restricts immigration as a class, drawing a definite hard fixed line; a level below which all who fall are debarred outright as belonging to the claimed undesirable class. The four per cent. test of the negative's plan automatically restricts immigration as a class, directing its powers against the new immigration, the admittedly less desirable and less assimilable class, while at the same time it permits the natural inflow of old immigration, the admittedly more desirable and more assimilable class. But in addition, the negative plan, by the consular examination considers the individual. It sifts, analyzes, chooses, directs, and distributes. Our

plan then picks the more desirable immigrant both as a class and as an individual.

THIRD NEGATIVE, CHARLES EDDY ORCUTT, POMONA '17

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My colleague, the second speaker on the negative, has dealt with the problem of the assimilation of the immigrant. He has shown you that assimilability depends upon two factors,— distribution and permanence of residence. Since the literacy test cannot determine the presence of either of these factors, it fails to indicate assimilability.

But assimilability is not the only quality which a qualitative test should determine. There are classes which would be undesirable and productive of undesirables, no matter how thoroughly they might absorb American manners and customs. These classes include the immoral, the economically incapable, the unintelligent. That is, any test, to be truly qualitative, should determine not only assimilability, but these qualities as well.

Now it is the strength of the literacy test that, at first sight, it does appear to be a qualitative test. The word "illiteracy" has an evil connotation. It suggests carelessness, shiftlessness, low mental standards. Of course, this connotation arises from the fact that here in America, where opportunities are equal and education is free, the man who neglects to educate himself must have some of these undesirable qualities. But this is by no means true of the immigrant. Illiteracy in an immigrant is not



the result of indolence, nor neglect, nor low mentality; it is simply the product of the conditions under which he has been forced to live.

The affirmative has painted a glowing picture of the opportunity which is open to the immigrant in his native country. Our opponents have tried to prove to you from the Encyclopedia of Education that educational facilities in Europe are abundant — that it argues low character in the immigrant if he comes here illiterate. Theoretically, conditions are ideal. That much we admit; but I want to present some of these conditions as they actually are. I want you to see what meager opportunities the immigrant really has for becoming literate. I want you to see how poor and inadequate and inaccessible the schools of many of the foreign countries are. I want you to see how utterly impossible it is for the many to obtain so much as the rudiments of education. I believe that even the hasty survey that is possible this evening will show that illiteracy is caused by these conditions, and not by any innate qualities of individual immigrants.

There is not a nation of Southern or Eastern Europe, whence our illiterates come, where the common man has so much as an even chance to obtain an education. In Italy they have good educational laws, as our opponents pointed out, but the laws are not enforced, for financial reasons. There are whole districts where eighty per cent. of the population can neither read nor write. The proportion of teachers to population is one to six hundred!

Spain, with twenty millions of people, has only twenty-six thousand schools — and twenty-two thousand school teachers. That is an average of one teacher to every eight hundred population, or one teacher to every one and one-fifth schools!

In Portugal, according to the International Year Book for 1912, "Primary education is theoretically compulsory, but ninety per cent. of the population is illiterate." In Russia, according to the same authority, "many of the teachers have no qualifications — instruction is totally inadequate." Russia has sixty-three million more people than the United States, but she is educating less than one-third as many children.

These conditions are caused by poverty, national and individual. Italy, Russia, Spain, Portugal — all these countries are weighed down by long-standing national debt, and the ever-present necessity of maintaining their armies and navies. They are financially powerless to educate their people. And, further, the poverty of the people prevents them from taking advantage of even the meager opportunities which are offered. The peasant's whole life is absorbed in the bitter struggle for a bare existence. The soil is poor, wages are scanty and families are large. The very children must become wage-earners. They do not neglect education because of indolence, carelessness or low mentality. Even elementary education is for them an utter impossibility.

Under conditions like these is it just, or even reasonable, to suppose that the honest, the progressive, the in-

telligent, will all be educated? Is it just or sensible to say that the line between educated and uneducated is the line between desirable and undesirable?

Immigrant illiteracy, then, is simply the result of conditions, not of character. Literacy does not determine worth; it merely indicates the conditions under which the immigrant has lived. The literacy test, therefore, fails not only to determine assimilability, but it utterly fails to indicate in any way the true worth and character of those whom it admits or rejects. The literacy test has no reasonable claim to be called a qualitative test.

The failure of literacy to indicate desirability is further proved by the character of present immigration to this country. Present immigration is illiterate, but it is not economically incapable nor unintelligent.

It has been pointed out that there is an oversupply of unskilled labor. This does not mean an oversupply of illiterate labor. Once the oversupply is cut down, there will again be a steady normal demand for unskilled labor. This is not a demand for literacy. Common sense indicates that literacy does not make any better workman of a man. It does not guarantee a sound body nor a willingness to work. Mere literacy doesn't even guarantee a sound mind. According to figures produced by Mr. Prescott F. Hall, Secretary of the Immigration Restriction League, over four-fifths of the foreign-born insane excluded in 1904 were literate!

Nor is the knowledge of some foreign language or dialect in itself any aid to self-support in America. Jane Addams, of Hull House, Chicago, who knows the im-

migrant, his needs and capabilities as do few others, opposes the literacy test on these grounds. She makes the statement that, during her long experience as a social worker, she has found that the immigrants for whom it is hardest to secure employment are those who come to this country with an education in their own language and no practical ability to do hard work.

It is not literacy, then, that determines capability. The negative supports restriction. We believe that the oversupply of unskilled labor demands restriction. But we believe that the restrictive measures should exclude the economically incapable; and this the literacy test utterly fails to do.

It sounds plausible, perhaps, to say that illiteracy denotes poor mentality — unintelligence. As a matter of fact, it does nothing of the sort. The facts connected with the present immigration to this country clearly show that the immigrant, though illiterate, does appreciate the opportunities which this country holds out to him, and does take advantage of them by educating his children. In 1910, of the native children of native parents in this country, three and seven-tenths per cent. were illiterate; while of the native-born of foreign parents, that is, of immigrant parents, only one and one-tenth per cent. were illiterate. The children of immigrants form the most literate class in the United States!

And our immigrants are decreasing illiteracy in themselves as well as in their children. According to the report of the Commissioner General of Immigration, of the one million forty thousand immigrants who landed in



1910, twenty-four and three-tenths per cent. could neither read nor write. Yet the census report for that year shows that of all the foreign-born in this country, only twelve and seven-tenths per cent. were illiterate. This shows that, in spite of his poverty and the hard conditions under which he is forced to live, the immigrant does appreciate the opportunities which America offers for education, and does take advantage of them. These figures prove, too, that illiteracy is not the result of any inborn low mentality. It takes generations to raise mental standards: it takes years — sometimes only months — to cure illiteracy!

The literacy test, then, is not qualitative. Illiteracy does not indicate non-assimilability. It does not indicate economic incapability. It does not indicate unintelligence. Illiteracy is not the result of the character of the immigrant; it is caused by the conditions under which he has been forced to live. Its cause is poverty. The test, then, which makes illiteracy a basis for exclusion, cannot be called qualitative.

Now, as a matter of fact, not even the strongest advocates of the literacy test to-day claim that it is qualitative. They support the literacy test merely as an indirect means for further quantitative restriction. Prescott F. Hall, Secretary of the Restriction League, which first presented a literacy test in Congress, has this to say:

"The theory of the educational test is that it furnishes an indirect method of excluding those who are undesirable, not merely because of their illiteracy, but for other reasons."

You will notice that the Immigration Commission in recommending this test, did not urge the Literacy Test as a qualitative measure. The Report says, "As far as possible, the aliens excluded should be those who come to this country with no intention of becoming American citizens, or even to maintain a permanent residence here. . . . Such persons are usually men unaccompanied by their wives and children." It does not say "such persons are usually illiterates." The report of this commission nowhere points out the illiterates as the ones that are making present immigration undesirable.

Representative Burnett, the father of the present bill in the House, said, "Mr. Chairman, this is not an attack upon the moral character of the men and women who cannot read. I know that all over this country there are hundreds and thousands of good men and good women that are illiterate." If Mr. Burnett admits that hundreds and thousands of illiterates in the United States of America are good, can it be said that the illiterates of Europe are undesirable?

Since the literacy test is not qualitative, since it determines neither assimilability nor character, there is but one department in which it does operate. The literacy test is simply a measure for indirect quantitative restriction; and as a quantitative measure it is surpassed by the Consular Certificate Four Per Cent. plan. The Consular Certificate Four Per Cent. plan is superior to the literacy test in the only department in which the literacy test operates; in addition it is qualitative, and the literacy test is not. The Consular Certificate Four Per Cent.

plan bases admission or exclusion upon careful and intelligent examination by reasoning human beings. The literacy test admits or excludes upon what is nothing more or less than a basis of "race, color, and previous condition of poverty."

NEGATIVE REBUTTAL, DONALD G. FOX, POMONA, '14

Mr. Chairman, Ladies and Gentlemen: It has been agreed by both affirmative and negative to-night, that the needs for further restriction of immigration are first to cut down the numbers, a quantitative need, and second to eliminate the more undesirable immigrants in making this cut in the number. This second may be called the qualitative need. In a final word then, let us compare the plans advocated by each side in regard to these two needs. First the quantitative features — I quote the latest available figures from the Report of the Immigration Commission for 1912. In that year the proposed literacy test would have restricted over 162,000 or about twenty-two per cent. of total European immigration some of whom would have been of the older or more desirable immigration. The four per cent. Consular Certificate Plan, however, would eliminate 242,000 or about thirty-three per cent. of total European immigration none of which would be of the older immigration; thereby insuring the adequate reduction of the over-supply of unskilled labor and restriction of immigration from the more undesirable countries alone. Surely the superiority of the four per cent. of foreign white stock feature as a quantitative test is shown by cold unanswerable figures.

Turn then to the qualitative features of each plan. Which would admit the more desirable classes — those who are more readily assimilable? The affirmative say that the factors of assimilability are high wages, ability to speak English and ownership of homes, and they produce several tables of figures to show that the per cent. of each of these characteristics among the various nations corresponds to the percentage of illiteracy in those nations. But let us examine the tables. First the wage table. The average Dutch, Irish and Scandinavian workman has been in this country much longer than the Portuguese, Italian and Lithuanian and have had opportunity to advance and learn the various trades. The new immigration has no relatives controlling American industry, his language, manners and customs are different and for this reason, rather than because of illiteracy his average wage is lower. This same advantage of the old immigration over the new still holds in the table of English speaking workmen, for in a language differing so much from the English as does Portuguese or Lithuanian, it is readily seen that the opportunity to learn English is far less than is the case where a person's native tongue is Dutch or Scandinavian. The Old Dutch and Scandinavian immigration has had years and years to learn the English language and they naturally teach it to immigrants from their own countries, while the new immigrants have practically no fellow countrymen who have had the opportunity of learning English. Even if these tables stood the test of including all the nations, the affirmative would yet have to prove that



literacy was individually the cause of high wages, ability to speak English, and ownership of homes. Twenty-five per cent. of the immigration may be undesirable and twenty-five per cent. may be illiterate, but they fail to prove that those who make up the first twenty-five per cent. are the same ones who make up the second. The other factors of assimilability are congestion in the cities, permanence of residence, distribution and family life. These factors can be told by the Consular Certificate examination far more readily than any other way. A man must state his purpose and destination and will not be given a certificate if his purpose is to join friends in the slums. His permanence of residence can be inquired into and if he returns after a short stay and becomes one of the so-called undesirable "birds of passage," he will not receive a certificate and must stay permanently in one country or the other. Family life is one of the greatest factors in assimilation. It requires no proof to show that the consul can find out if a man is bringing his family to America, for he must receive certificates for them; but the literacy test takes no account of any such factor and utterly ignores the greatest of all problems: that of congestion in the cities for one finds that a larger per cent. of illiterates go into the country than literates, the ratio being about 29 to 26. Following their line of reasoning in this particular, we should eliminate the literate immigrants, for they embody less of this great factor of assimilability than do illiterates. We see then, that the four per cent. Consular Certificate Plan is superior to the literacy test not only as a quantitative but

as a qualitative measure. Yet the affirmative attack the Consular Certificate Plan as impracticable. It is easy enough for one to sit at his desk and figure out objections to any plan. Let us go, for authority on the subject to men who know, who have been on the ground and met the problems and know whereof they speak. Mr. Eugene Schuyler, an American Consul in Italy for many years, after having studied the problem from his position as Consul says, "The provisions of this law (Italian Immigration Law) would render it comparatively easy for us to satisfy ourselves as to the character and condition of intending immigrants before their departure for America." Mr. Braughten Brandenburg, who went to Italy and worked as a peasant and lived among the people and came back to America in the steerage as an immigrant, thus acquainting himself with the problem as no other man has done, says this concerning the ability of consuls to determine desirability of immigrants, "The true conditions regarding all such persons (prospective immigrants) is readily ascertainable from the civic, police and military records in the communes of their residence, to which can be added the supplemental evidence of their neighbors and the local officials of the communes. With the assurance of such authority we rest the practicability of our case without further argument. We have shown it to be superior to the literacy test as a quantitative measure because it eliminates a greater number and takes them from the undesirable nations; we have shown it to be superior as a qualitative test because of the ability of the consul to determine the real factors of assimilabil-



ity in each immigrant and the failure of literacy to determine accurately these factors. We have shown our plan, furthermore, to be just and practicable, and hold, therefore, that the literacy test is not the best method of restricting immigration.

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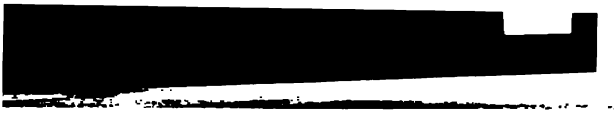
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INDEPENDENCE FOR THE PHILIPPINES



INDEPENDENCE FOR THE PHILIPPINES

TRINITY UNIVERSITY vs. *SOUTHWESTERN AND TEXAS CHRISTIAN UNIVERSITIES*

On the evening of February 13, 1914, Trinity University, Waxahachie, Texas, won both decisions in its annual triangular meet with Southwestern and Texas Christian universities, both of Texas, the score standing two to one in each case. The question discussed, independence for the Philippines, is at the present time one of vital interest as the Jones bill setting a definite date for the freeing of the Filipinos is being advanced in Congress.

The statement of the question follows: "Resolved, that the United States should within the next fifteen years grant the Philippines their independence, and aid them in establishing a free and independent government."

The speeches given here were contributed in behalf of the debaters by Miss Eleanor Blocher, Professor of English and instructor in charge of debating.

INDEPENDENCE FOR THE PHILIPPINES

TRINITY UNIVERSITY vs. *SOUTHWESTERN UNIVERSITY*

FIRST AFFIRMATIVE, UMPHREY LEE, TRINITY, '14

Ladies and Gentlemen: The problem of Philippine independence is one which we cannot pass over lightly. It is more than a party policy, a matter of mere political contention. It is a question of government, nay more, a moral issue, which we must consider. It involves, not only expediency, but principles as fundamental as the foundations of our republic. In order to get the situation before us, let us consider the conditions as they present themselves in nineteen hundred and fourteen.

In the first place, from the time of our acquisition of the Philippines, it has been the expressed or implied purpose of this government to give to the Filipinos independence as soon as possible. Mr. McKinley's avowed policy was to prepare them for self-government. The Proclamation of April 4, 1899, was to that effect. We might amass evidence upon evidence as to our original intentions, but fortunately that is not necessary, since everyone seems agreed, that we acquired the Islands with no serious idea of their permanent retention.



Again, everything that has been done in the Islands by the American government, has been done with the intention of fitting them for self-government. Nor can we draw any sophistical distinction between self-government and independence. Mr. Taft, himself, said some time ago: "The end of all our endeavor must be to give to the Filipinos self-government, and by this I mean independence if they desire it." Mr. Taft and Mr. Roosevelt, both declare that ultimate independence is the aim of their parties. The Democratic party has three times declared for it. There has never been among the great masses of the American people, any considerable sentiment for permanent retention. We have stood, and we now stand committed before the world to the ultimate independence of the Philippine Islands.

But not only is it the desire of the American people that the Filipinos have independence, but it is the desire of the Filipinos for themselves. Various Senators and Representatives, who have gone to the Islands to investigate, bear witness to the sincere desire of the Filipino for independence. Even Mr. Taft speaks of the "impatience of the popular majority for further power." Their newspapers ask for independence. It is the fundamental principle of their parties. Our government, through its representatives, has been deluged time and again with petitions from all parts of the Philippines, asking for independence. When the news of Democratic victory reached the Islands, thousands gathered to celebrate. Why? Because the Democratic party is pledged to Philippine independence.

Facing these facts, therefore, it seems to us that there is but one thing for us to do: we must give to the Philippines independence as soon as possible. To do otherwise would be inconsistent with our former declarations; we should stand convicted of insincerity. But it would not only be inconsistent with our former declarations, but to do otherwise would be out of harmony with the underlying principles of our government. Under any circumstances, to retain our control over a territory to which we have no natural right, would be inconsistent with our doctrine of freedom; but to maintain by force our domination over a people, against their own heart-longings, is to openly renounce all those conceptions of government, which we have so proudly avowed and for the establishment of which our fathers gave their lives. Such a course would result in the decay of our own political system. We cannot remain a democracy at home, and an empire abroad. If we maintain oligarchic control over the brown man across the seas, such control will inevitably be set up in our own land. Our house, thus divided against itself, cannot stand.

The question is, then, when shall we give to the Filipinos their independence? Some say, immediately. Perhaps so. Mr. Jones of Virginia says within eight years; and it looks as if our present Congress might agree with him. But to avoid the possibility of being too hasty, we say, "Extend the limit seven years, and grant them their independence within fifteen years." Now, why within fifteen years?

In the first place, we must remember with whom we



are dealing. It may be their misfortune, but they cannot help it, that they were born of the brown race, in the tropical zone of the eastern hemisphere. And we have no right whatever, to demand of them that they conform to the standards of another race, living in another zone, and in another hemisphere. There is but one guide that we can have, that is, the welfare of the Filipinos, themselves, considering their race, their zone and their hemisphere.

We say to you, that if we fail to set a definite date, such as fifteen years hence, for their independence, we shall defeat the very purposes for which we went into the Islands. There is one absolute essential of our helping the Filipinos: that is, that they shall have confidence in us. Yet an indefinite policy, such as we have had, is rapidly killing all confidence that they may have had in us as a people. We say to the Filipino to-day: "We cannot give you independence, but we will give it to you sometime, perhaps to your great-grandchild." And that Filipino knows that, not only will he not be alive to reap the benefits of that independence, but we shall not be alive to carry out our promise. We acquired them, saying that we were going to give them independence; we have occupied the Philippines, declaring our intention to give them independence; we must cease our indefinite policy, or we shall defeat the very work which has been accomplished there.

Not only that, but an indefinite policy means permanent retention. We can not express this better than in the words of a man, who wrote a book — *The Philippine*

Problem—largely for the purpose, evidently, of combating Philippine independence in the near future. This man, Mr. Chamberlain, says that if we allow American capital to go into the Philippine Islands, American capital will get America so far into those Islands, that she will never get out. We can not prevent capital from going into the Islands, if we retain our control there. American capital must follow the flag. We, of all people, should know the power of entrenched wealth, and yet an indefinite policy is advocated, when every day of American control, with no definite promise of independence, in the near future, sees the postponement of Philippine liberty by the entrance of American capital into the Islands.

What, then, are the forces which oppose granting the Philippines their independence within fifteen years? We say that behind all the arguments, altruistic and otherwise, which may be presented, is American commercialism. Not that the gentlemen of the opposition will base their arguments on that ground; but the source of the opposition is the commercial interests of this country. Why do we say this? The City National Bank of New York City, the recognized head of the money trust, has been issuing literature showing why we should not give the Philippines their independence. For commercial reasons? Yes; but also on the ground that we would do an injustice to them, if we turned them loose at the present time. Gentlemen, it is the first time in the history of the world, that the head of a trust spent its hard-earned money to promote a philanthropic enterprise.



The Manila Merchants' Association, an organization of American merchants in Manila, is supporting three lecturers — men of ability — who are going through the United States, opposing Philippine independence. They are arguing that the Filipinos are not ready for independence, and, incidentally, they are presenting to the American business man the facts that in the Philippines there are one hundred billion feet of hardwood timber, a monopoly of the hemp trade, and thirty per cent. of the copra trade of the world.

We have our choice, to choose between our pledges, and more important that these, our duty, and the demands of the Interests. We deem it our duty, as a Christian nation, dedicated to the proposition that all men are created free and equal, to grant to the Philippine Islands their independence within the next fifteen years, and to aid them in establishing a free and independent government.

SECOND AFFIRMATIVE, PAUL E. BAKER, TRINITY UNIVERSITY, '16

Mr. Chairman, Ladies and Gentlemen: My colleague has established the fact that it is necessary to give the Filipinos independence some time, and that independence to be beneficial and lasting must be given within fifteen years. The issue for us to establish is that the Filipinos are capable of maintaining an independent government.

In the first place, we shall prove that the people of the Philippines have the fundamental qualities on which they have built up a race with an aptitude for self-govern-

ment. We offer as one of the fundamentals of this strong structure, homogeneity. Even in 1903, fourteen governors, as tabulated by the census, ascribe to the constituency of their respective provinces, hospitality, piety, morality, and love for order, home, and family. The Filipinos, according to scores of observers, such as Governor Gonzoga of the Cagayan Province, the Visayan governor, Delgado, and Ex-Governor General Taft, are as a whole pacific by temperament, are inclined to peace, are patient, and, at times, even lax in seeking revenge. Being subjected to the same conditions of civilization for three hundred years, they naturally have the same characteristics, customs, and habits. For these reasons there never has existed antagonism among the inhabitants of the provinces, since, fortunately, there never has been a bloody contest like our war of secession, nor any tribal or sectional warfare among them. We here refer to the Christian provinces which contain ninety-three per cent. of the population.

In the war against Spain and the United States, they fought as a nation for liberty, disregarding tribal limits, even the fierce Moros and Igarots fighting side by side with the rest. Briefly, in preservation of order, and in the absence of local disturbances, the Philippine people compare favorably with most civilized nations. The Filipinos, too, constitute a nation. The people disregard the candidate from their tribe and vote for the party nominee. The people hold Dr. Rizal as their national hero, whose life was given for freedom. "The delegates to the assembly," says Mr. Alexander, the non-

partisan Philippine librarian, "though representing certain localities work for the best of the whole country." Surely, then, no one could deny that the Filipinos would work peacefully, and harmoniously, under a home administered government. In race and religion the Filipinos are more homogeneous than Americans, for they all belong to the Malay stock and seven and a half million belong to the Catholic Church. The census report of 1903 goes a step further, saying they are more homogeneous as a whole than the people of the United States. From the above argument we can see that this homogeneity is not because of simplicity but because of similarity which ascribes to the people foundation principles of independence. The claims of common interest and the ideals for the objects of progress and civilization have drawn the people together. In the last ten years much has been done in the Archipelago to aid transportation and communication. Under American control wagon roads have been extended from three hundred to five thousand miles, not by foreign but by Philippine capital and labor. Railroads were extended from one hundred and twenty-eight to six hundred and eleven miles also. At present they have seven thousand miles of telegraph and cable lines with a yearly increase of forty per cent. The schools are graduating Filipino civil, electrical, and constructive engineers, as shown in the report of education for 1911, which insures the continuation of this work after American withdrawal. The interest that Filipino legislators and officials have shown in public works also adds assurance. Therefore, in con-

cluding this point, the natural friendliness of the people, common characteristics, a united effort for freedom, similarity in race and religion, a national spirit, and modern communication and transportation give the Filipinos the foundation of a self-governing people, which is — homogeneity. Now these are present conditions, but we would have you note that fifteen years more has been given for development and progress which strengthens this point, that they have the basic qualities of an independent nation.

In the second place, the rapidity with which the Filipinos have assimilated civilization and education is proof that they have not only the ability to grasp the contents of books, which is well enough, but also the mental power to utilize the practical working principles of our civilization, which qualities indicate the capacity to manage a government. Now we shall take up the proof of these points. The progress referred to has been along material, social, moral, and intellectual lines. But at this point the negative must distinguish between people, a people that has the advantage of civilization but cannot utilize it and a people that has the mind power for development, as the Filipinos, but have never had a chance. It is true that the Spanish were in the Islands for three hundred years and the people as a whole developed alike, but no such opportunities have ever been given as Americans presented. Material progress has been rapid. Mr. Osmena, the speaker of the assembly, and the president of his party, says the municipalities with sufficient funds have realized all classes of public works in roads, bridges,



and city improvements that are monuments of progress. I would have you note also that the officials of the municipalities are Filipinos, and that they have done this work on their own initiative. In the face of economic and political instability exports grew from four and a half to twenty-three million dollars, which indicates the Filipinos increase in productive power through a little training in industrial schools. We would have you note here that although Americans handle most of the exports, yet the Islanders are the producers. The increase says the Insular report was chiefly due to increase in sugar, copra, cigars, and hemp, with sugar leading, valued at nine million. The increase is due to the adoption of modern implements and industrial training. The Filipinos are rapidly using our tools, such as plows, and are adopting our methods of farming. This is a discussion of only one line of work where the Filipino has adopted modern ways and grasped the training that has increased his efficiency. Mark this from the 1912 report of education, "Already forty schools are giving the farming course, sixty-one are giving the housekeeping course, thirty-nine the trade course, forty-seven the teaching course, and one the business course, as compared with two hundred and four conducting the general course." This same report says that out of three hundred seventy-four thousand in school three hundred forty thousand are taking some kind of industrial work. We must remember, however, that industrial and literary work go on parallel, thus both the head and hand are given knowl-

edge that is necessary to insure useful and profitable livelihood.

Now when we consider that the Filipinos come from trade and business departments of these schools and do as efficient work as the farmer we understand the cause of their material progress, which is a solid foundation on which an enduring self-government must rest. Progress in sanitation was only possible through the hearty co-operation of the inhabitants. The 1912 health report says, "The people have faithfully carried out the suggestions of the health authorities." Three-fourths of the sanitary inspectors are Malays, too. Thus, the death rate has been reduced to twelve and twenty-one hundredths per thousand, which will compare favorably with America. In fact, in all lines of progress the native Filipino has had a great part and, now, from his training we see he is prepared to lead in all fields, and is leading in many. Moral and social development need little stress since these points could hardly be questioned. But remember these facts. The large per cent. above quoted that are Catholics proves their religious zeal. Criminals are scarce, for there are only eight to every ten thousand, as compared with thirteen to every ten thousand in the United States, as shown by the census. The fact that there are léss immoral Filipino women than foreigners in the Islands and that there are ninety-eight Filipinos to two foreign women speaks volumes for the chastity of the original inhabitants. Secretary Dickinson in his 1910 report said their love for home and order



insures peace and social progress. These facts would lead us to conclude that the Filipinos are not barbarians, but civilized people in morality which better fits them for freedom.

Now, in the next place, intellectual development must have an important place. The system of education at the beginning of American control was poorly organized, as most of the Spanish priests who were the educators had fled. Mr. Taft says, "The priests' rule was not progressive and it did not result, except in the case of a comparatively small number, in general intelligence. The people were kept in the childhood of knowledge so that they would not depart from ancient ways." But I would have you note that the census report of 1903 gives two million two hundred and eleven thousand that took advantage of the unpromising opportunities and learned to read or write. Now the great progress of the last decade in general intellectual development showed the Filipinos' capacity. The late educational report gave two hundred and forty schools of higher learning such as normal and colleges, and four thousand three hundred sixty-six primary and intermediate schools, a total of four thousand four hundred and four schools in operation in the Islands. Teaching in these schools were six hundred and eighty-three Americans and eight thousand four hundred and three Filipino teachers. Hence, you will note, that ninety-six per cent. of the teachers were Filipinos. Frank McIntyre, Brigadier General of the Islands, says that three hundred re-enforced concrete municipal school buildings have been recently completed.

We would have you note that these schools were built and all municipal teachers are paid by municipal funds which are granted by municipal boards consisting of Filipinos. Hence, we see the Islanders are taking the initiative themselves in education. Mr. Bartlett, the university president of the Philippines, says, "Only by the coöperation of the Filipino has progress been possible. Credit must be given to those leaders of the Filipinos who in the commission, assembly, the government bureaus and private life are devoting their energies to the development of the material and human resources of the Islands." The acting governor-general in 1912, before the assembly, said, "Three and a half million students have received instruction in the public schools and as one-half million are now in school each year adds a large number of those of mature age who have received school training." Quoting further, "Five thousand students have received advanced education. The university in operation only four years has enrolled five thousand students. In the so-called uncivilized Moros province there are one hundred and forty-two schools with one hundred and ninety-five Christian Filipino teachers and over five thousand students. The normal school for teachers had an enrollment of nine hundred twenty-eight." Mr. LeRoy, a member of the commission, re-enforces the above statements by saying, "Nearly one-half of the Christian population over ten years of age is literate, including the outlying district of Luzon and Palawan. The Tagalogs have the highest degree of literacy of seventy per cent." What do these facts show us? In



the first place, the Filipinos are interested in culture as shown by the appropriation for schools, the educational development, and the initiative taken by the people. And again the Schurman commission, after an elaborate examination, concluded, "The educated men of the Philippine Islands are equal to men one meets in similar vocations of medicine, law, business, and industry in Europe and America." Education to a great extent fits them for service as it does people in the United States. They have as high a degree of literacy now as many independent nations. Then what will be the standard after fifteen more years of well organized schools?

English, as the common medium of speech, is another point in favor of their ability for independence. When America took control, the officials and the rich spoke Spanish and the poor their varied dialects. But now, McIntyre says, three million have acquired English and to-day more of the Filipinos speak and write English than speak and write any other language. Ninety per cent. stood the last civil service examination in English in opposition to the one previous, where ninety per cent. took it in Spanish. As all educational work is in English at present and as this is the official language we see it is everywhere spoken, and remember fifteen years more is given for extra development. Therefore, from these facts it is evident that we were justified in the statement of this point that rapid progress has been made in material, social, moral, and intellectual development which are indicative of ability for self-government.

In the third place, the natives have already shown abil-

ity in civic and governmental matters. The Filipinos have been given an increasing share in the government. At present Filipinos constitute ninety-nine per cent. of those in municipal affairs and seventy-five per cent. in provincial control, besides having a majority on the commission and making up the whole body of the lower house in the congress. Filipinos constitute fifty per cent. of the members of the supreme court and courts of first instance and all the members of the lower courts. The attorney-general, director of labor, of commerce and justice are Islanders. Eleven of the treasurers and all appointive attorneys are Filipinos. Briefly, out of twelve thousand three hundred and forty officials twelve thousand one hundred and ninety, or ninety-eight per cent., are natives of the Philippines. If Filipinos now perform ninety-eight per cent. of the governmental duties is it not reasonable to suppose that they can perform without difficulty the other two per cent? McIntyre again says, "It is important to note that in the municipalities when the Filipino was in the beginning given the widest control this has been only slightly curtailed, and in the province and central government where his control was at first restricted his powers have been materially increased. All the agencies which are supposed to work for the advancement of a people in popular self-government have been used to the greatest extent successfully for the Filipino." I would have you remember that the work of organizing and maintaining the governments and courts in the provinces in most cases and in the municipalities altogether have been in the hands of



natives, and Representative Cline says, "They have shown marked initiative and have performed their work in a careful and business like way." The Insular Commission of 1912 reports that the Filipinos in legislative and executive affairs have done their work creditably.

Now, in summary, we would have you note, Honorable Judges, that we have shown that the Filipinos have the capacity for self-government because at present they are homogeneous, which is the foundation of an independent structure; second, they have the educational qualifications which fit them for service along any line; and, lastly, they have already been tried in government and found capable. In order not to be too radical, or to seem too hasty we have allowed fifteen more years of development, which time will undoubtedly put the Filipinos far beyond the capacity mark.

THIRD AFFIRMATIVE, SIM JOE SMITH, TRINITY UNIVERSITY, '15

Mr. Chairman, Ladies and Gentlemen: The Philippines will be capable of maintaining a stable government under their own form of government; for, they may strengthen their present financial condition which meets all the requirements for the expensive government that we are carrying on there at the present time. Not a cent is received from the United States treasury. The money that we spend because of the Philippines is the great expense of keeping an army there. At the end of fifteen years they will not have to spend so much money for the

building of permanent public buildings. Also I would have you note that these islands at the present time have the lowest tax rate in the world. This taxation could easily be increased and then not exceed that of other nations. There is also a tax of one-third of one per cent. collected on all business done by merchants and manufacturers. This revenue will increase as the commerce of the Islands increases, and as the natural resources are developed and the products manufactured into articles of trade. Gentlemen, you should keep in mind that the Philippines only have an indebtedness of a dollar and fifty cents per capita compared with eleven dollars and forty-two cents per capita in the United States, twenty-three dollars and fifty-seven cents in Cuba, and twenty-six dollars and fifteen cents in Japan. Thus we have shown by actual facts that the Philippines will have more money in the treasury to maintain a stable government when we grant them their independence than they have now, because of the increase in business. By slightly increasing their tax rate and their indebtedness per capita, both of which are lower than those of any other nation, they will have a larger sum of money in the treasury than ever before in the history of the Islands. Lastly, when the Islands have their independence they will not have to appropriate large sums of money to build special shell pike roads for the American who has an automobile, as in the case of the fourteen millions spent for the Bengute road, which is only twenty miles long. Honorable Judges, do you realize that if this money was in



the treasury of the government at this time that it would pay every cent of the bonded indebtedness of the Philippine Islands?

Doubtless some will say that the Christian Filipinos can not control the so-called wild tribes, that is, all who are not Christians, no matter whether Moros, Negritos, or Igorrotes. These people are not all living together on one island, and as they are scattered through the archipelago is it not reasonable that these non-Christians could be governed by the Christian Filipinos in the same manner that we are governing them at the present time? They are only a very small portion of the population. They do not outnumber the Christians as the Indians did the whites in America one hundred and thirty years ago. We were able to control the Indians. Why can not the Christian Filipinos control these people who are far above the Indians in civilization and whose disposition they know better than the Americans by long association with them, to say nothing of blood relationship?

Since the speakers of the affirmative have proved that the United States should grant the Philippines their independence, we now wish to prove that the United States should aid them in establishing a free and independent government.

The Philippines could not easily establish their independence if it was not agreed to by the United States. In other words, if their independence is not established by us, it will not in any likelihood be permanently maintained, for some nation desiring territory could on some pretext enter into a war with the Islands and thus take

some of their territory as indemnity. Since it is necessary for us to protect the Islands in any event it would be just as convenient to protect them as an independent self-government. Since our whole policy has been to develop them in the power of self-government, the next step is to grant them independence.

There are three known ways by which a nation may be granted independence: First, by granting independence and acting as a protector as we have done in the case of Cuba. Second, by granting independence and letting the balance of power protect. And, third, granting independence by international treaty.

The first method is possible here, for no nation could infringe upon the rights of the Islands without war with the United States, and it is apparently safe, as no nation has shown a desire to molest the Philippines during the fifteen years that we have had control of them. The second method is plausible because the Philippines are the gateway to the Orient and the balance of power of the world would insure their independence. The balance of power in Europe dictated the settlement of the Balkan war, and it is reasonable to suppose that the balance of power of the world could as readily protect the Philippines. The third method is also possible. The United States could enter into negotiations with the leading world powers with a view of effecting a joint international treaty insuring the preservation of the Philippines and stipulating that in times of war they shall be neutral territory. The treaty might also provide that in case any nation should infringe on the Islands in any



way that the other nations should combine their forces if necessary to compel the aggressor into accord with the neutralization agreement. All nations entering into the treaty could be given equal trade relations in the Philippines.

Such a treaty as has been suggested could be accomplished, for no nation would be asked to give up anything that it now has, but instead each would gain equally in trade relations with the Philippines, also the assurance that the Islands would not be taken by some other nation. These conditions would cause the treaty to be favorably received, for all nations are jealous of territory, and they anxiously desire to keep territory from other nations. Again, this is an age of commercial growth and advancement. The Philippines offer a great source of commerce, for their natural resources are being developed, and therefore all nations will desire as good trade relations as any nation receives. By the treaty they will receive this without war or expense. Another reason for the success of this treaty is the friendly attitude of the powers toward the United States manifested recently in regard to our policy in Mexico. We could count on this friendly spirit in negotiating a treaty for the Philippines. Also, none of the powers has a desire to take the Philippines. England once owned the Islands and gave them up voluntarily and Spain is more prosperous since she let them go. This argues the success of the treaty.

Doubtless the negative will say that Japan desires the Islands as an outlet for her rapidly increasing popula-

tion. If this should be true, then the other nations would the more readily assent to such a treaty in order to destroy the possibility of Japan getting this territory by a war with the United States. This would add a curb to the growing military power of Japan, which would be increased by the acquisition of this new territory. Is it not true that all nations look upon the growing military power of Japan with some uneasiness, and a great deal of jealousy? After the other nations had signed the treaty, Japan, because of her extensive commerce with the Islands, would also sign the treaty in order that she might receive the advantages of equal trade relations.

I would have you note that such treaties have been negotiated in the past, and have proved a success as in the case of Switzerland, whose independence and neutralization was guaranteed by an international treaty in 1815, and that of Belgium in 1839, that of Luxemburg in 1867, and very recently that of Norway. Belgium gives us a good example of the force and success of this form of treaty. Only England, Germany and France signed the treaty under which Belgium's neutralization and independence was guaranteed. During the Franco-Prussian war both Germany and France were on the verge of breaking the treaty, but England informed these nations that if either of them broke the treaty that she would at once ally her forces with the other nation. The treaty was not broken, thus the independence and neutralization of Belgium was preserved. I would have you note also that the proposed plan provides that in case any nation should attempt to destroy the independence or



neutrality of the Philippines that all the other nations who have signed the treaty are to combine their forces if necessary to protect and preserve the independence and neutrality of the Islands.

Again, this is the age of the great movement called international peace, and it is a fact that this great movement is being favorably received by the world powers. Is not the restriction of the possible war area such as this Philippine treaty would be, a step toward international peace? And is not the international peace movement the one great movement that the world powers desire most to see perfected? Since both of these questions can only be answered in the affirmative, the world powers will, therefore, the more readily sign this treaty and thus preserve the independence and neutrality of the Philippines.

Honorable Judges, you will observe that you have before you all the argument of the affirmative. Now, let us proceed to answer the argument of the negative.

First, the negative attempted to prove that as yet the Filipino people have no well established school system which is necessary in training people for self-government. The gentlemen of the opposition overlook the fact that the Filipinos compare favorably with other tropical peoples, for the bureau of education sent out seventy letters to other tropical countries and the returns show that the Filipinos are more interested in education and that their course of study and average attendance is much higher than that of any other tropical people. Again, the gentlemen fail to note that the reason the per cent. of

graduates from the high schools is not large is due to the fact that they begin industrial training in the high schools and thus it is that a large per cent. choose a vocation for life and work to this end, never completing the literary course. But I would have you note that this is no great defect, for even in the United States we find that statistics show that only two out of every ten finish the high school. Here in America we find that a small per cent. of the high school graduates continue their courses in the colleges. While in the Philippine Islands three-fourths of those graduating from the high school continue their courses elsewhere.

The negative argues, second — that the Philippines should not be granted their independence because they have no "middle class" which is necessary for a self-governing people. But, Honorable Judges, when we look up authority, we find that there is a middle class, for, Mr. Beard, a man having taught in the Islands for twelve years, says, "There is a middle class. The first class is those who work for day labor and rent. The second, or middle class, are the little land owners who own homes. The third class is the big mansion owners living in the municipalities." Again, Nelson's Encyclopedia says, "Three-fifths of the population are farmers; one-fifth, wage earners; and one-fifth of the higher class." It also states that, "Four-fifths of the farms are owned by their occupants." Hence, Honorable Judges, there is a middle class, and this is the largest class. Also, the middle class is taking advantage of the education that is offered.



The negative argues, third, that the Filipinos are not a homogeneous people for various reasons. But, Honorable Judges, when we turn to authority which is based upon an accurate study of the people we find: that they are homogeneous, for the census report of 1903, Vol. 2, page 44, shows that less than one-tenth of one per cent. of the population are mixed in bloods or color. Page 9 states, as compared with the twelfth census report of the United States, that the mixed peoples of the Philippines are much simpler, the difference being due to the more homogeneous character of the Philippine population. Is not this ample proof that they are homogeneous?

The negative have, in the fourth place, attempted to make much of their belief that the Filipinos have no national spirit, and will not, therefore, be capable of self-government. Again, the negative have the wrong conception of the Filipinos, for there are numerous instances that prove that they do have a national spirit. For example, out of the eighty representatives to the assembly, sixty-four were elected on immediate independence platforms, sixteen on independence after better development. J. A. Roberts, now in the Philippines, speaking of these representatives, said: "The delegates, although elected to represent certain districts, are keenly alive to the fact that they represent the Philippines as a whole and must obtain the best good for the whole country." Again they have their national heroes, whom they remember by national holidays, as for example, Rizal day. These people fought together as one great host in

the war with Spain. And lastly, at the present time they are united in their desire for independence. Honorable Judges, what more could you ask of a people in order that they have a national spirit?

AFFIRMATIVE REBUTTAL, UMPHREY LEE, TRINITY UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: It is argued that we should not give to the Filipinos their independence, because they are of the Malay race, and a Malay people has not yet set up a popular government. It is likewise argued that the Filipinos have no great business interests, no great statesmen, and no great churchmen, except those of mixed blood. These statements are not accurate; but, for the sake of argument, suppose that they are.

In the first place, I want you to notice the trend of this argument. It is that the Filipinos are racially incompetent to be independent. If this is so, then we can never correct the fault by education, because you cannot educate a people out of a racial defect. Then, there is but one of two courses that we can take. We must either keep them forever — a thing plainly repugnant to our governmental principles — or we must compel amalgamation. Let the opposition take their choice.

But what are the facts? For three hundred years the Philippines were exploited by the Spanish government. For fifteen years they have been dominated by the American government. To-day in the Islands, the government holds absolute monopolies, such as the Ice



Plant and the Insular Bureau of Printing. Competition by native companies is futile. Add to this the foreign capital that has been admitted by the ruling governments, and then, shall we deny them independence, because they have no great business interests? For three centuries, there was Spanish imperialism; for fifteen years there has been American imperialism; and shall we accuse them of having no great statesmen? Until fifteen years ago, no Filipino could hold a position in the Church more exalted than that of a parish priest. Shall we then accuse them of having no great churchmen?

Yet they are capable of this independence. They are capable of running over ninety-eight per cent. of the provincial government, and nearly that much of the central government. They are competent to teach in their schools, to advance their own interests. We admit their ability, except when the question of independence is brought up.

It is continually mentioned that the Census shows only twenty per cent. literacy. They fail to tell you that the Census was taken in 1903, when the Philippines were just emerging from a devastating war. They fail to tell you that at that time, thirty-five per cent. of the males of the voting age were literate. They fail to tell you that since that time over three millions of Filipinos have received some instruction in English alone. They fail to tell you that we freed Porto Rico when she only had twenty per cent. literacy. They fail to tell you that in 1870, Texas had far less literacy even than this. They

fail to tell you that the question gives fifteen more years, in which the Filipinos will be eager to learn, having before them definite promise of independence. Why not? Because there is nothing in these statistics to prove that the Filipinos are not ready for independence. Racially, intellectually, from the standpoint of experience, they are ready, and should have independence within the next fifteen years.

TRINITY UNIVERSITY vs. *TEXAS CHRISTIAN UNIVERSITY*

FIRST NEGATIVE, CLAUD V. KING, TRINITY UNIVERSITY, '16

Mr. Chairman, Ladies and Gentleman: The question of Philippine independence should be settled not upon sentimentalism or commercialism, or upon the admitted accomplishment of our nation in the Islands, but upon and for the welfare of the Filipinos. In view of this the affirmative must prove two things: First, that the Filipinos will be competent to maintain an orderly and stable government; second, that they would be safe from outside aggression.

For a people to be competent to maintain such a government it is a well known fact that they should have power of initiative, a common interest among the people — that is unity, a common language — with an intelligent electorate, and a knowledge of governmental conditions necessary to govern successfully. Such competency we fail to see in the Filipino people now or



within the next fifteen years. But before entering into our argument let us first notice the pretensions of the affirmative. Now the greater part of the first affirmative speech was concerned with the history of the Philippines. We do not care anything about that. What we are concerned about is the Philippines in 1914 and what we are going to do with them in 1929. We admit all of his speech concerning the history and thank him for it as it gives us an excellent background for this discussion. Besides this, our opponent has brought forward only two points; First, that the Philippines are dangerous to the United States; Second, that the economical conditions of the Philippines justify giving them independence. The latter point will be met in the course of our argument. As to his point that they are dangerous to the United States — it is not only absurd but is a slur upon our nation. We have over one billion inhabitants and the second largest navy in the world, and there is as friendly a relation existing between the United States and the other world powers as could be expected to exist between the Philippines and any other country. But whether they are dangerous to the United States or not is foreign to this question, for our promise to the Philippines and to the world is to protect the Islands until they are competent for independence. The affirmative admits that they are not now competent by arguing for a margin of fifteen years before giving them their independence. Also they advocate protection until independence is granted. So you see the point of danger need not be considered but only

that of competency. Now let us go to our constructive argument.

We contend that the Filipinos will not be competent within the next fifteen years to maintain an orderly and stable government. First, they lack the power of initiative, for they have never produced a great leader in any sphere of activity. Take education. Although they have universities older than Harvard or Yale, very few of their graduates are able to hold more than intermediate positions in the American educational system in the Philippines. Business is carried on almost wholly by foreign peoples, for fifty thousand Chinese control ninety per cent. of the retail trade. With the exception of a few small stores conducted by Filipino women, the other ten per cent. is in the hands of foreigners. The wholesale business, banking, manufacturing, etc., are, with hardly an exception, carried on by Americans and men of other nationalities. The commerce of the Islands is entirely in the hands of Americans, Chinese, English, Germans, and Spaniards, without present or prospective competition by the Filipinos. They have never produced a statesman, for Rizal, their writer, Aguinaldo, their warrior, are their greatest men, but they are not pure Filipinos, and neither they nor their few so-called distinguished lawyers have ever borne the title of statesmen. They have never produced a churchman of note, although for three centuries there has been in no country a people more loyal and devoted to the church than the Filipinos. Yet to-day the affairs of the churches are administered by foreigners with



Filipinos holding only minor positions as parish priests. So they might be loyal to the government, but by their slow progress in development they would fail to produce within fifteen years competent leaders for its maintainance.

Now, if they have produced no educators, no business men, no statesmen, no commercial men, no churchmen, their position is deplorable, and it is absurd to set the date when such a people should have independence until they have leaders in some of these lines. The Filipinos who have attained minor prominence, which the affirmative may cite, are not more than a few generations removed from a foreign ancestry, and they constitute less than two per cent. of the entire population, while over ninety-eight per cent. or the pure Filipino has accomplished practically nothing.

Now this does not mean that they will never be competent for independence. But it does say that a people without worthy leaders in these lines just mentioned and with foreigners having to produce the art and literature of their country, having to supervise all the public improvements because the Filipinos have neither architects, sculptors, engineers, railroad or other builders, are still a dependent people. Again, the Filipinos are a people whose development is very slow naturally as a direct result of three centuries of oppression by the Spaniards on the one hand and the Catholics on the other. And this, competent authorities claim cannot be overcome by the American training in one generation, much less in fifteen years.

Again, they will not only be without worthy leaders, for the lack of the power of initiative, but their people cannot be unified in so short a time. Can it be expected, since they are divided into many different tribes including the warlike Moros, head hunting Igorots and some ten or more wild tribes? Now, the affirmative may say these are the small tribes, and that about seven million people belong to the brown race. Yes, but the Encyclopedia Britannica states that the brown race is composed of twenty-three distinct tribes varying widely in culture and language. The large number of tribes would not be so bad if it were not for the fact that they have lived together for over four hundred years and have never intermixed, and that they speak about sixteen different dialects, and in many instances those speaking one dialect cannot understand those speaking other dialects. Our opponents will doubtless say that according to the last census the Philippines are more unified than the United States, but our immigrants are eager to be assimilated while the wild Filipino tribes are at loggerheads with the Tagalogs and Visayans who constitute four-sevenths of the population of the Islands, and hate each other according to the Secretary of War's report. The Tagalogs, or more advanced, try to suppress or rule over the Visayans who despise and outnumber them three to one.

Further, to add to this proof we have written forty letters to prominent missionaries located in widely different parts of the Islands, and the replies express the unanimous opinion that tribal prejudice and often hatred



exist, but that it is kept from causing trouble by the strong American hand at the helm, and that if this were removed they would soon be fighting among themselves.

Honorable Judges, these conditions could not be overcome readily for civil enmity is not soon erased, especially when communities are cut off from each other because of limited transportation as in the Philippines. And further, the public press consisting of only sixty-one newspapers is reaching only five per cent. of the population. So we see that they will lack unity, which is absolutely necessary for a stable government.

Again, they will not have enough worthy leaders and a unified people at the expiration of fifteen years, for the percentage of illiteracy will be too large for them to have a common language, with an intelligent electorate, for, out of the eight million inhabitants seven million are in a comparatively low stage of civilization, while there is more than a half million of wild, savage people in the Islands. Of the entire population only twenty per cent. can read and write. Seven per cent. read and write Spanish. Three per cent. read English, the destined national language. The rest read and write only in some native dialect, which does not mean that they have any material knowledge or information, for there is not a book of science or of general information or a modern text book in any of their dialects. Only three per cent., or two hundred and thirty-five thousand are qualified voters under a very liberal voting qualification. They do not have to conform to a single stand-

ard such as we have in the United States. They have four standards and if they conform to any one of these they can vote regardless of the other three. The four standards are that they shall have held office under the Spanish government, that they have property worth two hundred and fifty dollars, that they pay fifteen dollars taxes, or that they can read and write in either English or Spanish. The alarming feature is that less than one-third of the voters are qualified by the reading and writing test. Now literacy will not be increased in fifteen years to such an extent as to produce enough competent voters to rule the country, as our opponents may claim, because from the last educational report, and from the Encyclopedia Britannica, there were six hundred and ten thousand enrolled in school in 1910-11 while the number at school age was about two million. Thus, only thirty per cent. were in school, but instead of the enrollment increasing in 1912 it actually decreased by eighty-one thousand or over fifteen per cent. The main cause of this was that the government was forced to close many schools and reduced the number of teachers by more than seven hundred because of lack of funds. Grant, though, that thirty per cent. will be in school in the next fifteen eyars, and that would not mean that they would be well educated, for many would soon discontinue school. Moreover, ninety-five per cent. of the enrollment is in the primary grades and in 1911-12 only thirty per cent. were promoted, while only one out of every thirty goes beyond the fourth grade, and only one out of every two hundred enters high school. This



would leave seventy per cent. illiterate and thirty per cent. poorly educated, which would give them a low voting percentage, and render impossible an intelligent electorate and a common language.

Now, Honorable Judges, we have proved that the Filipinos have no power of initiative, that their people cannot be unified in so short a time, and that they would be too illiterate in fifteen years to have a common language with an intelligent electorate. Therefore, the proposal for setting the date of their independence is unwise, because no one can look into the future and arbitrarily select the date for the independence of the Philippines or any similar country. For, even if the present indications seem to show that a country would be competent some one or more unexpected causes as a civil war or an invasion might intervene and render it impossible. Moreover, will our nation stand for a decree as to what it shall do fifteen years in the future and thus run the risk of sacrificing the welfare of eight million people? No. The men of political responsibility and experience in the United States and in the Philippines have fully realized this fact, for no experienced American and no governors-general of the Islands are in favor of such a radical proposal. The Democratic party is not in favor of it, for in the last three platforms it states, " We favor an immediate declaration of the nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established." Did it say in fifteen years? No. But " as soon as a stable government can be established."

Neither is President Wilson in favor of it since he did not favor the Jones bill which proposes the granting of independence to the Philippines in eight years. Had he thought eight, ten or fifteen years sufficient time for doing so he would have so indicated, instead he proposes "ultimate independence" as shown by his words set forth by the governor-general of the Islands, who said, "Every step that we take will be taken with a view to the ultimate independence of the Islands and as a preparation for that independence." Now "ultimate independence" may mean fifty or a hundred years, not possibly fifteen years for fifteen years is in the immediate future. Now we see that President Wilson is not in favor of a scuttle policy as proposed by the affirmative. So, Honorable Judges, should the United States adopt such a policy against his will, against the will of Ex-presidents McKinley, Roosevelt, Taft, the governors-general of the Philippines, yes, against the will of all who have spent any time in the Islands and studied the conditions? We say, "No."

SECOND NEGATIVE, JOHN RUSSELL COVEY, TRINITY UNIVERSITY '14

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My colleague has proved the following points to show that the Filipinos will not be competent to carry on a stable government within the next fifteen years, viz.: first, that they lack power of initiative; second, that they will not be a unified people; third, that they would be too illiterate to have a common language and an in-



telligent electorate; and, fourth, that it would be unwise to grant them their independence within the stated time.

For my part, we shall prove that the natives have demonstrated their incapacity in matters of government. All Americans who have been in the Islands for any length of time say that the educated class controls the ignorant mass completely whether it be in municipal or national politics. Both candidates and political parties make appeals to the people for votes which would be an insult to the intelligence of the American voter. A writer in the *World's Work* for September, 1913, says, "But in a careful inquiry made in the Philippines I was unable to learn of a single municipal election which was fought out on local issues as in America." A very large number of officials are elected because of their avowed determination to secure independence from the United States, lower the rates of taxation, or give employment to a large number of natives. This is sufficient to show, Honorable Judges, that the power of judgment and discrimination so necessary to insure an intelligent electorate are absent in the case of the native Filipinos, since they are unable to separate muncipal, state, and national affairs in their minds. Every single one of the things promised by these officials was beyond their jurisdiction when promised, thus showing that these men elected were either very ignorant or very corrupt—in either case unfit to hold office in any country.

The national parties adopt names to catch votes for their candidates. One took the name, "Partido Nacionalista Immediatista," signifying a desire for in-

dependence. This was not radical enough for one set of politicians, who adopted the name, "Partido Nacionalista Urgentissima," meaning that its yearning for independence was greater than that of the party wishing independence immediately. Still another party went further and came out with the caption, "Partido Nacionalista Explovisto!" These radical parties secured a majority in the Philippine legislature over the more conservative parties which stood for independence when the country was ready for it.

In the next place, the great, ignorant mass of people is subject to the rich and educated classes. The literacy being only twenty per cent., we see that the former constitute eighty per cent. of the population, hence we have practically a people open to the exploitation and petty domination of an aristocracy. Mr. O. Garfield Jones says, in the *Outlook* for September 21, 1913, "Every native of the island is born with a highly developed social instinct either to command or to obey. The rich, educated Filipinos can control the masses of the people as completely as the captain ever controlled a company." Now, Honorable Judges, not only can they do it, but they actually do it. Mr. Taft recognizes that this is really the case and says that the ignorant natives are jealous of all educated persons save those of their own race, whom they will aid in any enterprise regardless of its character. This has led to a system of political bossism which is very deep rooted in the Islands. The Britannica (1911) says that this system has existed since before the days of the Spanish occupation. Secretary of



War Dickinson said in 1910, "Political bossism is just as potential now as ever." At a more recent date (1912) the official handbook of the Philippines had this to say on the subject, "Unfortunately local politics are dominated largely by a class of men known as 'caciques.' Among a population still very generally ignorant and improvident their power is deeply intrenched, and until it can be broken by educating the working class out of their subservience, real progress in local self-government is bound to be very slow." This is not true of just one locality or province, but according to Mr. Taft it is the case in every community. Since the conditions and problems are favorable to the maintainance of political bosses and since they do exist and have existed, is it reasonable that their influence will be broken down within the next fifteen years, since the same favorable conditions for bosses will continue, and be increased if the Filipinos are granted their independence within the stated time?

The presence of a ruling and of a serving class naturally precludes the possibility of a strong middle class, which is so essential to the freedom and permanence of any government, as is shown in the case of all democratic countries such as the United States, England, France, Germany, Switzerland, and others. Honorable Judges, not one of these countries has an educated ruling and an ignorant serving class, yet the Philippines have. The affirmative may attempt to show the presence of a middle class, but they cannot prove that it exists separate and apart from the others as in the case of the free

countries I have named. If a middle class exists it is submerged in the lowest class to such an extent that its identity is lost. There is no such thing in the Philippines as an educated public opinion, and I challenge the affirmative to show that there is. To have a middle class it is necessary to have an educated class of farmers, bankers, artisans, merchants, etc. These do not exist. Of course there are farmers but they have neither education nor the farms. The gente illustrado, or ruling class, actively opposes the formation of a middle class. According to the report of the Secretary of the Interior for 1911 they opposed in the courts the acquisition of public lands by people of the lower class and out of two hundred and fifty such cases ninety per cent. were found to be cases in opposition without any foundation whatever. The gente illustrado merely desired to keep their poor in poverty so that they would serve as cheap laborers on the great plantations instead of owning homes of their own. Yet it is this same gente illustrado as political leaders of the Islands who are leading the clamor for independence!

There is another influence which enters into the situation which the affirmative does not mention. That is the parental influence, which exists so much longer in the orient than in the occident. Nobody who knows eastern conditions will deny this. It means that the progress of the rising generation will be curbed by ignorant parents who are under the control of the political bosses.

Again, the natives have proved themselves untrust-



worthy. They are not trusted to any great extent either as municipal or provincial treasurers, though the service is gradually being turned over to Filipinos under the policy that we have followed. According to reports from the Islands the following shortages of bonded employees have been paid.

In 1909	$ 3,000.00
In 1910	10,000.00
In 1911	15,000.00
In 1912	33,000.00

Another vicious practice has grown up — that of appropriating all the available revenues for salaries of the provincial officers. Mr. Taft points this out, and Governor Smith in a message says, "In eighty-eight municipalities the entire revenue was spent for salaries, and not one cent for public improvement or betterments, and in two hundred and sixty-five out of six hundred and eighty-five less than ten per cent. went for public improvement." The national legislature did this in 1911-12, members of the assembly having their salaries increased ten and fifteen dollars a day, and at the same time the appropriation for education was cut down. These examples of graft are due to faults in the law of the land, but, Honorable Judges, just imagine the amount of graft and bribery that would exist under complete native control were the United States to withdraw. No official of experience in the Islands will say that public opinion amounts to anything in the Philippines as all the natives have the conception that public office is the private property of the holder.

Again, there is much fraud in elections. The report of the Philippine Commission for 1912 says, "Lack of education required a large number of ballots to be procured by inspection, a proceeding which opens the door to fraud and which is known to be one of the chief reasons for the large number of protested elections, which was two hundred and forty." Ignorance was undoubtedly the cause of this since the literacy of the territories in question in the protests was one and forty-seven hundredths per cent. Returns were wholly or partially wanting in a large number of municipalities. This was the third election held under the law. It is a simple law and it was posted in both English and Spanish at all polling places, but the election judges deliberately disregarded it. This shows that the natives are not to be trusted in the affairs of government, since they disregard the law as far as they can under our control. It is easy to surmise what would happen were the United States to withdraw.

Good government is enjoyed in the Philippines, so far, because of American control and not because of native control, for (a) we have furnished the initiative, (b) we have kept strife down, and (c) we have protected the ignorant masses. My colleague has already shown that we and other foreigners, not the Filipinos, have furnished the initiative in all lines of activity. Just because there happens to be a majority of natives in the government service is no argument for independence. We might as well say that because Mexicans and negroes far outnumber the whites on our public works that they



ought to superintend the work. We have shown also that our government is a restraining influence in the Islands, curbs strife, and that we have protected the ignorant natives from the educated and powerful. Slavery has been abolished, the ignorant are being educated, and homesteading is being encouraged. Also the presence of the United States has doubled the wages of the laborers.

And finally, Honorable Judges, at present all countries where Spanish influence is dominant have a ruling, educated class and an ignorant, serving class but no middle class. Moreover, no Malay nation or no other tropical nation has ever established or maintained a free government. Now the Filipinos are not an exception to either case, hence they will not be capable of establishing or maintaining a free government in the near future. This does not mean that they will never be able to do so, for, under the guiding and protecting hand of the great, beneficent and benevolent country they will become capable after they are sufficiently educated and not until then. This will be longer than fifteen years, yes, longer than a generation. For these reasons the Philippines should not be granted independence within the next fifteen years.

THIRD NEGATIVE, EUGENE S. LAWLER, TRINITY UNIVERSITY '14

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My honorable opponent has said that the Filipinos are capable of self-government, because they

have a higher percentage of literacy than our country had fifty years ago. But, sirs, it is a well known fact that our forefathers, while they may have been deficient in book-learning, were intelligent, were not superstitious, had force and initiative, and had had centuries of experience in self-government. We are being especially lenient toward the Filipinos in being willing to risk their possession of all these other qualities as soon as they have a moderate amount of book-learning. We ask you, could we be more liberal with them, who are a tropical, Malay, Spanish-tutored people?

He has also advocated neutralization to defend the islands in case they were granted independence. If neutralization can be depended upon, why was it that the neutralization of the Suez Canal fell through, and England is now in control? Why was it that Russia broke the agreement which neutralized the Black Sea in less than six years after it was made? Why was it that Japan broke the treaty in which she guaranteed the independence of Korea in 1905, within five years after it was made? But he says that it did work in the case of Switzerland. But that is not an example of what neutralization would do for the Philippines. Switzerland is important to the other nations as a buffer state, has a high standard of civilization, absolutely stable government, strong armies and defenses. Not one of these things is true of the Philippines, which, on the very frontier of civilization, would have no high civilization, no stable government, and is the precise type of territory seized by the colonizing powers. Therefore, it is

absurd to talk of neutralizing them till their conditions come more nearly to approximate those of the countries where it has proved a success.

In the next place the Filipino people are absolutely unprepared to bear the economic burden of independence. Although the Philippines have had the most prosperous period of their history during the past few years, the insular government is even now in financial straits. Last year many schools had to be shut down on account of lack of funds, and in his first message to the Assembly, Governor General Harrison urged it to use the most stringent economy to avert a deficit in the insular treasury. The Assembly responded by cutting all the departments of the government to a bare subsistence, the appropriation to education being reduced by 1,418,000 pesos. Think of it, with only one child in four in school the educational appropriation is to be cut down by more than a third! Nor can this stringency be attributed to any fault of our administration, which has been most economical. The insular government spent last year only $3.30 per capita, as compared with $12.00 per capita for our own government, and over $13.00 per capita for Cuba. Say what they may the affirmative can not point out a government anywhere that has done so much for the people on so little.

The real cause of the present stringency must be sought in the poverty of the Filipinos. We see the relative heaviness of the taxation of the Philippines when we consider that while their tax is only $3.30 per capita, they have a foreign trade of only $13.00 per capita out

of which to pay it. The tax of Porto Rico is about the same, $3.70 per capita, but she has a commerce of $56.00 per capita, while Cuba has a trade of $100.00 per capita out of which to pay her tax of $13.50. It is eight times as easy for us to pay our per capita tax of $15.00 out of our National wealth of $1200.00 per capita as it is for the Filipino to pay his $3.30 out of his $40.00 per capita. Another indication of the largeness of the tax in comparison with their resources is that while there is only about $26,000,000.00 in circulation in the islands, it required about $25,000,000.00 to run the government in 1913, that is, the taxes for one year are virtually equal to the entire circulation of the islands.

But while the Filipinos have at times objected to this taxation, for instance, in the petition of the Nacionalista party in 1910, it is necessary that it be kept up and even increased. Since at present they have only about one child in four in school, it will be necessary for them to treble their school system before they can even hope to have an intelligent population. And mark you, there were, at the last report, only four hundred and thirty permanent school buildings in the Islands, while six hundred and fifteen are only semi-permanent and nine hundred and eight are merely temporary. So we see why the director of education recently reported that in spite of the liberal provision the government had made from its limited resources, it will be many years before the educational system can be decently housed, to say nothing of the extension of the system that must be made. Again, if the prosperity of the islands is to be increased,



and the tribal prejudices referred to by my first colleague are to be broken down and a national unity fostered, the isolation that has held the different communities apart must be broken by the construction of roads. Now while we have done great things we have only made a start, for according to a recent article by Frank L. Stong, the roads we have built serve the needs of only 2,000,000, leaving the other 6,000,000 people unprovided for. And so it is with sanitation, and all the other departments of the government; only a beginning has been made.

Again they need more railroad, there being now only six hundred and eleven miles of it for the entire population of 8,000,000. They need the introduction of improved methods of production to increase the wages of the laboring class, and factories, so that when there is a crop failure, as in 1903 or in several provinces this past year, the people will not be reduced to the verge of starvation, and to obtain these things there must be an influx of capital into the islands.

But the granting of independence in the near future would accomplish the very opposite. Legitimate capital demands as the very first prerequisite, security, and it would certainly not trust an absolutely native government. Even now the Manila Merchants Association is keeping four men in the United States to work against immediate independence. Why? Because they are afraid it would not afford security! Even Ex-Governor Forbes had the greatest difficulty in getting a new railroad built, and we may be sure that if any such course

as the affirmative is urging were decided upon, capital would have a still stronger tendency to cease going to the islands and industrial progress and prosperity would be checked.

Yet, in spite of the fact that the government can scarcely meet its expenses now, and that, as I have shown, for many years their entire energies will urgently need to be directed toward internal improvements and education, and that prosperity and industrial progress would be checked — as soon as independence is granted it will be necessary for the government, even if neutralized, to make large expenditures for an army. Every neutralized power has an army, and it will be absolutely necessary for the Philippines' government to have one on account of the fierce Moros and other wild tribes, of whom there are 600,000. You will remember that only last June, the Moros massacred several of our soldiers, and that it requires the constant vigilance of even our army to keep them quiet, and it would be more difficult for the Filipinos to control them, for the Moros, of whom there are 345,000 concentrated upon the large islands, Mindanao and Sulu, have a long and deep-rooted hatred toward the Christian Filipino. Only recently when Governor General Harrison first visited them their chiefs asked that they never be given over to the control of the Filipinos. Dato Mandi, their greatest leader, has declared that as soon as independence is granted they will begin to kill the Filipinos on Mindanao. When Mr. Quezon, the chief advocate of Philippine independence, was asked about this in congress, he replied,



"Oh! we could easily maintain an army of 30,000." That would be relatively small compared with the armies of the other neutralized powers, or that of Cuba, which has no wild tribes, but the very minimum that it could cost would be $25,000,000.00 per annum.

Furthermore, it would be necessary for the government to look after its citizens and diplomatic relations abroad, and this would take a consular service, costing, let us say, only half of what ours does, or $12,500,000.00 per annum. It would also have to keep a small navy to police its great shore line, against smugglers and pirates, costing, let us say, only $6,000,000.00 per annum, to say nothing of purchasing it at the first.

Thus in spite of the fact that the government is even now having difficulty in paying about $25,000,000.00 per annum for much needed internal improvements and education, if granted independence, it would have to spend $22,500,000 per annum on these extra expenses. Internal improvements and education would be sure to be neglected, and the progress they have made under us would be lost.

Now to summarize — My first colleague showed that they lack and will lack leaders from the mass of the people, that they would lack national unity, and, finally, that they would lack an intelligent electorate — three indispensable requisites of a free government. My second colleague showed that while under our direction they have enjoyed a good government, they have demonstrated the evil results sure to flow from an early independence, in those departments of government that

have been handed over to them alone. I have shown that they would not be safe from outside aggression, and that they are entirely unprepared to bear the financial burden of independence. In the face of these facts, what could be stronger evidence of the fact that that part of the Filipino people that is clamoring for immediate independence is under the leadership of demagogues who are seeking their own interests only?

But the question for us is, what shall be our method of procedure, what will be wise and honorable for the United States, and to the best interests and welfare of the Filipinos?

First, Congress should, as provided in the Democratic platform, authoritatively declare our intention of granting them independence as soon as they are ready for it, if they so desire. First, this does away with any argument that further delay means permanent retention. Second, it will quiet any fears that may exist among the Filipinos as to our intentions.

Second, let us continue to increase gradually the power of the Filipinos in their government, as fast as they are capable, until they have absolute self-government, like that of Canada. When they obtain this, they will be enjoying every freedom that they could possibly have under independence, with the added advantage of the absolute security and protection of our government, while we would retain our present advantageous trade relations with them.

We have every reason to believe that the Philippines, when they have reached that stage, will prefer our pro-



tectorate to independence, but after they have demonstrated their ability to maintain a stable government, the islands have been developed enough to sustain the financial burden of independence, and they still desire absolute independence, then will be the time to grant it, and not till then.

Honorable Judges, this plan has every advantage of the plan of the affirmative, providing self-government and then independence surely, safely and without sudden jerks or changes. The plan of the affirmative is rash and sudden and protects against neither internal misgovernment nor outside aggression. Therefore, we are sure you will agree with us that we should adopt the first plan and not grant the Philippines their independence within the next fifteen years.

NEGATIVE REBUTTAL, CLAUDE V. KING, TRINITY UNIVERSITY, '16

Mr. Chairman, Ladies and Gentlemen: Let us notice the argument that we of the negative have not already refuted. The second gentleman of the affirmative stated that the literacy of the Filipinos was about fifty per cent. and not about twenty per cent., as we proved. So let us examine and see. Since the last census report of 1903 there has not been an average, but only twenty per cent. of the children of school age are in school. Up to three years ago it was far below twenty per cent. and since then it has only been about twenty-five per cent. The educational reports will bear us out in this statement. Schooling is the only means they have of increas-

ing their per cent. of literates. And since 1903 there has been about eighty per cent. of those of school age out of school, so that eighty per cent. must be illiterate. The affirmative seem to take the attitude that every time a thousand children enter school they should be added to the literates of 1903. But we can count on as large a per cent. of literates dying as of illiterates. Suppose we take their way of calculating and add the eighty per cent. of children who have not been in school to the eighty per cent. of illiterates in 1903. We should then have one hundred and sixty per cent. of illiterates. So, the absurdity of their argument is easily seen. Now, until they have about fifty per cent. of their children in school their literacy cannot be that high. Thus we are correct in saying that only about twenty per cent. are literate.

With all they have said about the literacy of the Filipinos they have asked if we should expect them to have more than one per cent. of literate voters, when they are required to read and write in English or Spanish, both being foreign languages. And the very same gentleman that made that statement later made the statement that the Filipinos were not an ignorant people, because they had received Spanish schooling while under the rule of Spain. Honorable Judges, there is one thing about it — there is only a small per cent. that are literate, or else, as the gentleman stated, they can read and write and do not care enough about their government to take the trouble to vote. Under either case they should not be allowed to take the government into their hands.

The argument of the affirmative that we should grant



the Philippines independence because they desire it, is no argument for independence. For instance, a child desires a razor; should it have one? I'll guarantee that ninety-nine per cent., if not one hundred per cent., of the inmates of the county jail of Tarant County desire freedom this very minute; should they have it? They said the Filipinos desired independence, but they did not prove it, and they cannot prove by facts and figures that twenty per cent. desire independence. We challenge the gentlemen of the affirmative to prove that twenty per cent. desire independence. They cannot do it.

They claimed that the Filipinos did have leaders, for Aguinaldo, Rizal, and Quezon were Filipinos and leaders, and therefore they have the power of initiative. But, sirs, every single one that they have cited are not pure Filipinos, but Mestizos. And we admitted that what minor leaders they may have were of the mixed blood, but from ninety-eight per cent. of the pure Filipinos there were no leaders. They have failed to cite one; furthermore, they cannot.

Now, Honorable Judges, this is everything on earth that they have brought out to-night. We have answered every single thing that they have brought forward. And at the same time we have answered every objection that has been made against our argument. So, in conclusion, we should like to call your attention to the authority that has been used in the discussion, as the affirmative has stated that the authority of the negative has been based upon men who have a policy to uphold, or a selfish interest to protect. But our argument is based

upon educational and governmental reports and encyclopedias and men who have had charge of the Islands and studied the conditions — not for two or three weeks' pleasure trips to the Islands but for years. Now, the affirmative have based their argument upon men who have never been in the Islands, and are only agitating independence to get their names before the people, as Representative Jones of Virginia, Representative Cline, etc., or, men who have been in the Islands for a few days' visit and have only met the highly advanced people, or, disgruntled men who have lost their governmental jobs in the Islands because they were not competent to hold them. Yes, they have quoted a few such negative authorities as Mr. Taft, Mr. McIntyre, etc., but not one of these men is willing to set the date for the independence of the Philippines. Which authority will you take?

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UNICAMERAL LEGISLATURE FOR STATE GOVERNMENTS

UNICAMERAL LEGISLATURE FOR STATE GOVERNMENTS

KANSAS UNIVERSITY vs. *UNIVERSITIES OF COLORADO AND OKLAHOMA*

This subject is a new one in collegiate debating circles and was introduced last year by the Kansas-Colorado-Oklahoma state university triangular. The debates in this league were held April 8, 1914, Oklahoma winning two and Kansas one.

The question as discussed was: "Resolved, that the several states should adopt a unicameral form of legislature."

The following speeches used by the Kansas debaters were contributed by Mr. Howard T. Hill, Instructor in Public Speaking at Kansas University.

UNICAMERAL LEGISLATURE FOR STATE GOVERNMENTS

KANSAS UNIVERSITY vs. *UNIVERSITY OF COLORADO*

FIRST AFFIRMATIVE, AVERY F. OLNEY, KANSAS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: In considering this question it is well first to agree upon the definition of terms. Kansas understands that any body of persons which constitutes the chief law enacting body of the state is the state legislature. A unicameral form of legislature, then, is a one-house or one-chamber enacting body.

In presenting the argument of the affirmative it shall be my duty to consider the history and development of legislative assemblies in the United States; and then to point out the evils and shortcomings of our present-day state legislatures. My colleague who will follow me will show that these evils are inherent in American bicameral legislatures. Our last speaker will show how the unicameral system will eradicate each of these evils.

Let us first recognize that this question deals with American commonwealths. The American state is not sovereign because it has the national government over it. Therefore the state legislature is more of a local



body, and deals with local laws more than do the legislatures of sovereign states like England and France. Since this is true, any argument from analogy with other governments, in order to be valuable, should be from the Canadian Provinces, the German States, the Swiss Cantons, or the states of the Australasia and South African Confederations, because these constitute all the modern governments similar in power to American States having unicameral legislatures.

In the early days of our history we find the public over-enthusiastic about the supposed merits of bicameralism. Not only state legislatures, but municipal councils, general committees, and legal commissions were bicameral in form. By 1820 the people found that these committees would be more efficient and responsible if the members all met together, that is, took on a unicameral form. About the same time, as Professor Monroe points out in his "Government of American Cities," the municipal councils began to be changed into unicameral organizations. No city of any size or importance in the United States which has changed from a bicameral to a unicameral council has returned to its former cumbersome method. This merely indicates the tendency toward unicameralism which has failed as yet to reach its logical conclusion — unicameral state legislatures.

Let us now consider the reason for the adoption of bicameralism in our American states. The original Colonial Assemblies consisted of the Governor's council, appointed by him, or directly by the king, and the peoples' representatives. These two groups sat together

and the council was the more influential. This was distasteful to the people, who now wished to have two houses — one to represent them and the second to represent England. Thus we find the assembly or lower house representing a homogeneous people, and the upper house representing the King. When the war was over and independence was won the upper house was retained in most of the states to represent the wealthy class and the property owners. The qualifications for voting for members and for holding a seat in the legislature were based on property holding, and were considerably higher for the upper than for the lower house.

We find here bicameralism as it should be. The two houses representing different interests and elected on different qualifications. Let me quote from some of the bicameral theorists. Says Justice Story, in speaking of the second chamber, "A co-ordinate branch of equal authority and different organization." Says Francis Lieber, "We should have a different set of men and combined on a separate basis." In the New York convention of 1821 Chancellor Kent and Chief Justice Spencer both spoke in favor of higher qualification for voters for senators, and in speaking of a second house said, "It was intended to be differently composed and differently organized."

Until 1820, then, we have bicameralism founded on a firm, theoretical basis. But with the arrival of the Jacksonian theories of democracy we find both houses elected by the same voters and representing the same interests. In our theory of government we have done away with



class distinctions and class representation. And therefore the reason for bicameralism as advanced by Story and Kent and Francis Lieber does not and cannot exist in any state in the United States.

Since I have shown that we have no theoretical reason for bicameralism in American states, let us now turn to witness its absolute failure as a responsible and efficient legislative system.

There are many evils in our present legislature, but we shall touch upon just three of them. First, our legislatures have failed to check hasty, foolish, and ill-considered legislation. Second, they are not organized so as to place responsibility. And third, they are inefficient. I shall discuss the first two directly and the third indirectly. My colleague who will follow me will prove that these three evils are inherent in bicameralism as it operates in the American states.

The affirmative maintains that the present day state legislature fails to check hasty and ill-considered legislation. The people have recognized this fact and have been forced to add other checks. The first of these was the governor's veto. At the close of the Revolutionary War only two states gave him the veto. Now only North Carolina withholds it. The general veto was not enough and many states have given him the right to veto specific items of appropriation bills. Even this was not enough and the governor now vetos specific portions of any bill. But in spite of these checks many bills have been passed which were so poorly drafted as to be impossible of interpretation and as a result the courts have

declared a great mass of legislation unconstitutional. But still the law which gets past all these revising bodies is not what the people want, and so they have set up the popular referendum, and on top of all this the individual legislator may be recalled during the session.

We ask the gentlemen from Colorado this question: If their much vaunted check and revision by the second house has worked, why have the people added all these others?

Men and institutions are judged by an examination of the works which they produce. I wish to bring in a few examples of ludicrous laws which our legislatures have failed to check. In the last Kansas legislature two laws were introduced, passed both houses, and were signed by the governor, which, on closer inspection, proved to be identical down to the last period. Chapter 75 of the session laws of 1911 was repealed three separate and distinct times by the 1913 legislature. One law passed by the legislature was immediately amended in the next chapter. Chapter 82 of the session laws of 1911 was repealed and afterwards amended and then repealed again, all action being made without reference to or knowledge of any other action on that subject. A Nebraska legislature of recent date gives us this, "No firearms shall be discharged upon the public highway except at noxious animals or an officer in pursuit of his duty." Another very efficient legislature provides that hotel keepers shall carefully plaster the rugs on their floor and the sheets on their beds. A Missouri legislature provides for the registration and sale of railroad



bonds before the road was built. It never was built, but the bonds were sold and came into the hands of innocent purchasers for value, to whom they became a total loss due to the act of the legislature. I have had time to mention only a few examples, but my colleague will prove that this failure to check foolish and hasty legislation is inherent in bicameralism.

Our state legislatures are notorious for their lack of responsibility. Each house hides behind the other and then they both hide behind the committee, and the committee in turn hides behind the legislature. Let me give you just one example of this. In the last Kansas legislature each house passed an initiative and referendum measure with minor differences. Then they appointed a conference committee which could not or would not agree. The result was no initiative and referendum amendment. But who was to blame? Says the house member, "We passed the bill and the senate would not accept it." Says the senate, "We passed it, but the house refused to accept it." Possibly they were all to blame, but there were doubtless many of the one hundred and sixty-five members of our legislature who favored the amendment and they should not be made to suffer with those who did not. Just who really favored the bill or who was to blame for its failure to pass no one knows. Says the Democratic leader confidentially, "The twenty Progressives in the house killed the bill for political reasons." Very well, then they are to blame, but we must not condemn them unheard. "We really favored the bill, but you know you never can trust Dem-

ocrats anyway. We had to kill the bill because there were some jokers in it." So we are no nearer a solution than we were. The Progressives blame the Democrats, the Democrats blame the Progressives, the Republicans blame them both and the conference committee. On top of it all the house and senate blame each other, and the conference committee blames the Republicans. The people of Kansas will never really know exactly who was to blame. I would appreciate it if the gentlemen from Colorado will show how the blame in cases of this kind may be fixed by changes in the legislature which are not fundamental in character.

I have attempted to show, Honorable Judges, from a consideration of history, that the theoretical reason for the bicameralism in the American states no longer exists; and that in practice bicameral legislatures have been a failure because: first, they have failed to check hasty, foolish, and vicious legislation, and second, they are irresponsible. My colleague who will follow me will show that this failure to check, and this irresponsibility and inefficiency are necessary and inherent evils in bicameralism as it operates in the American States.

SECOND AFFIRMATIVE, HAROLD F. MATTOON, KANSAS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My colleague has shown you, first, the history of the bicameral principle in the United States. He has proved that it was originally instituted to secure the representation of various political interests, and that in the



American states this reason no longer exists for its retention. Also, he has shown you how faulty is the legislation that comes from the present day state legislature.

It is my contention this evening that these evils are inherent in the bicameral American legislature, that they cannot be eradicated by any doctoring-up of the old system which the gentlemen from Colorado may propose because they are due to causes lying deep in the bicameral system as it must operate in the American state.

These inherent evils of bicameralism are to my mind three in number. First, the bicameral system not only cannot check hasty legislation, but it even fosters it. Second, the bicameral system in the American state is inherently irresponsible. Third, it is inherently inefficient.

Let us consider for a moment the first of these propositions — the inherent inability of the bicameral legislature to check hasty legislation. There are several forces which one overlooks who urges the advantages of the bicameral system as a check on hasty legislation. The first of these is the party system. This great force is so deep-rooted in the American state as to be inherent. Just so long as men differ on great issues the political party must remain in every democratic government. This permanent force it is that has been peculiarly effective in breaking down the barrier which the second house was supposed to interpose in the way of hasty legislation. This is due to the fact that in all of the states both houses must be elected upon practically the

same basis and by essentially the same constituency. As a result we normally get two houses, each belonging to the same political party. What does this mean? It means that we have men in both houses who think or at least act alike on practically all important measures, a condition of affairs rendering any effective check by one house upon the actions of the other extremely unlikely. It means that each house in the rush of business will be more and more disposed to neglect to consider bills properly, assuming that such measures will receive adequate consideration at the hands of their colleagues in the other body. The other house, assuming that the bill has received adequate consideration in the first, passes it with but little question. Thus we see that here the bicameral system not only fails to check hasty legislation but actually fosters it.

But in addition to unity of views membership in a political party means membership in a machine which in order to get anything accomplished at a given session dictates to each individual member how he must vote on each bill. One way by which the party secures this enforced uniformity is by its control of nominations. D. L. Colvin, who in preparation of a doctor's thesis made a careful study of the New York legislature, found that out of thirty-two members of the senate who were defeated for reëlection in 1910 twenty-nine met defeat at the party convention and only three at the polls. Small wonder that the legislator should give wholesome respect to the power that made him.

Again the party forces uniformity by its control of



the machinery of each house. The speakers of the house, the members of committees are all party men. Each member is expected by his constituents to obtain for them the passage of bills essential to the welfare of the locality from which he comes. His political career depends upon it. But in order to do this he must stand in with party leaders. If he persists in voting against the bills of his party colleagues in the other house he can be sure that his own bills will receive but slight consideration. Thus the party, by the unity of belief of its members in both houses, by its control of nominations, and by its control of a man's legislative career through its domination of the machinery of the house, forces each member of the party into line. How, I ask the gentlemen from Colorado, can their much-vaunted check possibly operate when, with a majority in both houses, the leaders of a party agree that certain measures shall pass? Says Reinsch, the foremost American authority on state legislatures, " The strength of the party system in the state legislature combined with the usual tacit understanding between opposing machines assures the flood of legislation a passage free from the friction that necessitates in congress the conference committee."

These conditions are inherent. No matter how the gentlemen amend the present bicameral system, the party will remain to vitiate most attempts of the second house to impose a check upon the hasty action of the first.

Another great force which prevents the bicameral system from imposing any effective check upon hasty legislation is the fact that our states are political units. Both

houses are elected upon practically the same basis and by the same franchise. Hence there can be no difference in the essential character of the two houses. To this homogeneity is due the languid concurrence by one house in the actions of the other pointed out by my colleagues. Says Chief Justice Spencer, in the debates of the New York Constitutional Convention, as early as 1791, "However subdivided the legislature may be in all its several branches, if it be composed of persons exactly similar in qualifications and be elected by persons having the same qualifications, it will be virtually the same body." If our two houses are virtually one house in states where one party is in absolute control then why the mummery of bicameralism with all its attendant disadvantages and inherent evils?

Prior to 1820 we had the bicameral system in all its purity. The legislature sat for the most part the entire year and had no restrictions upon it. And what happened? Simultaneous with the growth of the party system and the destruction of the property qualifications for voting for senators the failure of the bicameral system to check hasty legislation became apparent, and the people in their own constitutional conventions began to pile on restrictions of legislative authority. If, as the gentlemen claim, the failure to check is due to these restrictions, why did the bicameral system fail to check hasty legislation when these conditions were not present?

No, ladies and gentlemen, the bicameral system as a general rule cannot impose any very effective check on hasty legislation, owing to two factors inherent in the



American state: first, the party system, and second, the homogeneity of the American state. If, then, as my colleague has shown, there can be no more than one political interest in the American state, and if, as I have shown, the bicameral system is inherently unable to impose any effective check upon hasty legislation, the bicameral legislature would seem to be without legs upon which to stand.

The second great inherent evil in the bicameral system in the American state is lack of responsibility. This evil is inherent because just so long as we have two bodies, each supposed to be responsible for the same thing, the tendency must inevitably be for one house to shift the responsibility upon the other body. Let the gentlemen from Colorado amend and patch up their system as they will, if they retain the bicameral system, this shifting of responsibility must occur, because just so surely as you divide the responsibility between two houses, each of them will use the other house to shield it against the consequences of its own acts. If you corner both of them, they will shift the responsibility upon the governor. Governor Hodges of Kansas, who has had years of experience, as a member of both houses of the legislature, says, "About the only purpose that I have ever been able to see for the two-house system is that it enables the legislator to fool his constituents by getting a measure desired by them through his branch of the legislature and then using every effort to have it killed in the other branch." About six years ago a resolution passed the Kansas House by a two-thirds majority

submitting to the voters the equal suffrage amendment. Before the resolution reached the senate fifty per cent. of the house members were importuning their senators to defeat the measure, which they did. Here the representatives, by using their influence for the defeat of the resolution betrayed the people far more than did the senators. Yet they could not be held responsible. (My colleague has cited the example of the Initiative and Referendum amendment in Kansas where each house was pledged to pass such an amendment and yet escaped responsibility for its failure to do so by ascribing the defeat of the measure to the other body.) Let me impress it upon you that this was caused by the fact that there were two houses, not because of the size of the bodies, length of session, or anything of the kind. It would have occurred in any state where there were two houses because it is human nature to shift responsibility. If an opportunity is afforded by having two houses this will surely be done.

This brings us to the third evil under discussion — inefficiency. Because of its inherent lack of responsibility bicameralism is inherently inefficient. Just so certainly as you dissipate responsibility between two houses so that nobody in particular is responsible for carrying out the popular will you are going to have a slipshod way of doing the legislative business of the state. It is notorious that what is everybody's business is nobody's business.

Then, too, the bicameral system is inherently cumbersome. In every case its so-called delay for proper con-



sideration of bills resolves itself into mere confusion and obscurity. Says Governor Hodges, "After all the remedies of the constitution the bicameral system remains a heavy and complicated mechanism, yielding readily enough to the operation of a political expert — as I pointed out a moment ago in connection with the political party — but blocking at every turn the attempts of the people to work it honestly and efficiently." If the bicameral system could possibly be made efficient in the American state it is strange that not one out of the entire forty-eight can at the present time really be called an efficient legislature.

If the two houses happen to be controlled by opposite parties an absolute deadlock is reached. This, however, is not calm and deliberate revision; this is simply blocking of legislation, a thing for which the legislators were not elected. Such a situation could not possibly occur in a one-house legislature. Deadlocks, confusion, and delay growing out of the war of two houses controlled by opposite political parties are direct outgrowths of bicameralism and are inherent in it.

We have then three inherent defects in the bicameral legislature: first, inability to check hasty legislation and positive fostering of the same; second, lack of responsibility; third, inefficiency. If these three evils are inherent, and I believe I have shown that they are, the bicameral system stands condemned, and we must adopt a better plan.

THIRD AFFIRMATIVE, HENRY A. SHINN, KANSAS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: My colleagues have proved that the bicameral theory is not fitted to the needs of our state government; that it does not check hasty, ill-considered and vicious legislation; that it does not fix responsibility, and finally that these evils are inherent in the bicameral plan.

By the unicameral plan we mean a legislature composed of a small body of men, elected from districts. They shall serve a term of four years, one-half of the members being elected every two years. The representatives shall give all their time to the legislative work of the state. They shall receive a salary which will duly compensate them for their time and labor. We wish to provide that the Initiative and Referendum may be used with this plan the same as it is with the bicameral plan. Under this plan of a legislature we feel that we can prove that the evils which my colleagues have shown to exist inherently in the bicameral plan will be removed.

First, the unicameral system will fix responsibility. It is not by limitations and restrictions of power, but by pressure of responsibility that good government is to be secured. So long as one house is permitted to work in the shadow of the other or to shift the responsibility to the other, just so long will the American people be unable to fix responsibility. Many American cities have found it impossible to fix responsibility under the bicameral plan, but have solved the problem by adopting a



one-chamber system of government. No corporation would for a moment place two separate bodies of men in control of a responsible position. The reason is obvious. Such a method would be so complicated as to destroy responsibility. Just so in our government. To fix responsibility, we must have a single chamber with simple methods, such as we have in our business organizations. As President Wilson says: "Simplify your process and you will begin to control. Complicate them and you will get farther and farther away from their control. Simplification! Simplification is the task that awaits us. Reduce the number of persons to be voted for to an absolute workable minimum,—knowing whom you have selected, whom you have trusted, and have so few persons to watch that you can watch them." Therefore we hold that a single chamber with simple methods will fix the responsibility.

Second, the unicameral plan will do away with hasty, ill-considered, and vicious legislation. The mere fact that a bill passes two houses does not mean that it receives double consideration. My colleague has shown you concrete examples in both Kansas and Nebraska legislatures of bills that passed both houses and were so ridiculous in meaning and so poorly written that the Attorney General was unable to interpret them. Such tangled methods, such ridiculous work, such travesties on law-making could not exist under the unicameral plan, as we have outlined it. For the method of work would be much simplified. The number of men would be reduced to a workable minimum. The representatives would be unable to shift

any part of their responsibility to any other body of men. Thus when absolute responsibility has been fixed on the shoulders of a small body of men, you have removed the cause for ill-considered and vicious legislation.

Furthermore, the unicameral plan as we have outlined it is no untried theory or Utopian dream. In discussing the practicability of the unicameral theory for state government we should not base our conclusion on the results of the plan when tried by federal or national government. Neither should we go to some revolutionary period in the history of some foreign country like that of England or France. But we should base our conclusions on the results of the unicameral legislatures in those countries which are similar to our own states. The Canadian provinces afford us a fair example. They are similar to our states in that they are smaller units of a large federal government. Their geographical location is similar to ours. Their industrial pursuits are the same as ours. The work of their legislature covers even a larger field than ours does. Finally their single chamber is very similar to the one we have advocated here to-night. They are composed of small bodies of men elected from districts. They meet once a year without limitation to the length of their session. Therefore, everything being similar between the two countries, the unicameral plan should give the same success in the states as it has in the provinces.

Now let us examine the results of the unicameral legislature in Canada. All of the provinces in the Dominion except Quebec and Nova Scotia have the single cham-



ber. None of these provinces, having once adopted the single chamber, have turned back to the old plan. This alone is evidence that it gives better satisfaction than the bicameral plan. Only an average of one hundred and fifty bills are introduced each session, while in the United States, the average is between one thousand and four thousand. This is evidence that the local and trivial matters are not exalted above measures of state wide importance as they are in the States. Listen to what the Canadians themselves think of the plan. In a letter recently received from W. J. Hanna, Secretary of the Province of Ontario, he says, "As for the single chamber feature in the provinces, it has been an unqualified success. Nobody would vote to change it. A corporal's guard in favor of the second chamber could not be drummed up in this province." Indeed, the unicameral plan as we have explained it, has been tried in a country similar to our states and found an unqualified success.

Further, the unicameral plan is well fitted to the nature of our legislative work. A large per cent. of our legislative work is purely and simply of a business nature. The making of appropriations to state institutions, the making of the budget, fixing the tax levy, the control of business organizations, the promotion of agriculture and manufacturing, all are problems in business management. What is more, they are the very problems that affect the tax payers most and should not be handled in the wholesale fashion characteristic of the bicameral plan. We admit there are a few laws relating to domestic relations and the like that would not be

classed as business matters. But the time given to such laws is so little that you would not class them as one of the chief functions of our legislative work. Men in public life recognize this fact. Stubbs, while governor of this state, said he managed the business of the state the same as that of a railway company. Capper, while running for governor, said he wished to reduce the government of the state to business principles. We must agree that the chief work of our legislature is of a business nature. Then why not handle these matters in a businesslike way? It would be ridiculous to think of a business corporation organization having two separate boards of directors. Such methods would confuse business, destroy unity of action, and injure the finances of the company. The same is true of the bicameral system of legislature. Suppose for a minute that the state government and the railroad company are each building a road across the state. The directors of the company through good business methods would know exactly what the road would cost and where every dollar was going to be spent, while the legislature would make an appropriation of a lump sum which would probably build a portion of the road and leave the rest of it to some future legislature to determine whether the road would ever be completed or not. Such is the difference between the two methods. Indeed the old plan has become antiquated. Its theory is no longer applicable to state government. Its confusing, irresponsible methods have vitiated legislation. Honorable Judges, we must find a plan that will spare the common citizens from such



vicious legislation. We, the affirmative, believe that we have shown that the single chamber with more modern methods of business management will afford the remedy we seek:

In conclusion, Honorable Judges, we feel that we have proved:

First: The bicameral theory is not applicable to our state government, since we have but one class to be represented.

Second: That the bicameral plan has proved a failure in our state governments, since it does not check hasty, ill-considered, and vicious legislation, and since it does not fix responsibility.

Third: That these defects are inherent in the bicameral plan.

Fourth: That the unicameral plan will remove these defects, since it fixes responsibility and since it removes the cause for vicious and ill-considered legislation.

Finally, we have proved the plan practicable, since it has been tried in a country similar to our own, and found practicable. Therefore, we hold that the several states should adopt the unicameral legislature.

KANSAS UNIVERSITY vs. *UNIVERSITY OF OKLAHOMA*

FIRST NEGATIVE, O. T. ATHERTON, KANSAS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The negative, in defense of our present system of

legislation, will show, first, that history records the success of bicameralism and that theoretically the existence of a second chamber is warranted. In the second place we shall show that present defects in our legislatures are not the result of our form of government. Lastly, that these defects can be effectually remedied without discarding a tried system of legislation, the success of which has been universal, for a theoretical system, the history of which records its failure.

The principle of bicameralism has become an axiom of political science. A century ago the eminent scientist, Francis Lieber, said, "The bicameral system has accompanied the Anglican race like the common law, and everywhere it succeeds." This system has undergone an exacting test for over a century, and political scientists of to-day uphold the principles of bicameralism. The opinion of modern scientists was expressed by James Garner when he wrote in 1910 that, "Notwithstanding all the objections raised against the bicameral system, experience has established its advantages over the single chamber scheme."

The proposition for a unicameral legislature is not in any sense modern. In reviewing legislative history we find it incorporated in the constitution of France in 1791. The single chamber, tried for four years, was found unsatisfactory, resulting in the institution of a two-house assembly in 1795. England tried a single chamber during the commonwealth, but there it failed. Our continental congress was a single chamber, and Hamilton later said concerning its evils, that they frequently



adopted resolutions only to repeal them the next day, and in some cases considered, rejected and adopted and again rejected in the course of a week, the same motion. In Pennsylvania, where it existed for a century, we find a want of stability and impulsive legislation, so that it was abandoned after the American Revolution. When we sum up the history and experience of legislative organization we are struck by the complete failure of unicameralism on the one hand, while on the other hand the success of bicameralism is evidenced by its universal adoption in leading countries. The universality of its application under widely varying conditions can be seen in modern legislation. Japan, in 1889, reconstructing its government in the light of European experience, deliberately set up a bicameral system.

The principle of a second chamber has been embodied in the teachings of the greatest statesmen and jurists in American history. John Adams, Alexander Hamilton, Lieber, Story, Kent, Madison; these men are the endorsers of bicameralism, and all agree that it is an absolutely and incontrovertibly necessary organization for responsible government. Students of politics, who have thoroughly absorbed and digested all the discussions touching legislation, agree upon this one proposition and upon this one only. Their final judgment must have consideration, since it is attested by the world-wide adoption of bicameralism in every modern enlightened government. John Adams, comparing the two systems of legislative organization, said, "Of all possible forms of government, a sovereignty in a single assembly, succes-

sively chosen by the people, is perhaps the best calculated to facilitate the gratification of self-love, and the pursuit of the private interests of a few individuals." John Stuart Mill taught us that a majority in a single chamber, with no check but their own will, easily becomes despotic and overweening if released from the necessity of considering whether its acts will be concurred in by another constituted authority." The force of the objections against unicameralism is overwhelming. I quote the distinguished historian Lecky,—"Of all forms of government which are possible among mankind, I do not know of any which is likely to be worse than a government of a single omnipotent democratic chamber." The founders of our constitution believed the structure of bicameralism a sound structure for state and federal government, and time and experience have convinced Americans that the division of the legislative power is a principle of the greatest necessity. Justice Story, in his "Constitution of the United States," writes, "There is not probably at this moment, a single state in the union which would consent to unite the two branches into one assembly.

But the gentlemen of the affirmative say we cannot draw analogy between our state and a national government. I ask these gentlemen what substantial difference they can find between any unitary government and our state government. I say they can find no fundamental difference, and I submit to you, Honorable Judges, that since our state legislatures deal in matters of personal and property rights, that there are no interests in the



whole domain of lawmaking concerning which we require more careful legislation. The state legislatures have control over the whole domain of civil law, laying down the rules to govern contracts, property, inheritance, corporations, marriage, divorce, state police power, public health and morals. The legislature should occupy a high position in the esteem of the citizens of a commonwealth, for in it are made the laws which most vitally affect their lives and property.

Now, ladies and gentlemen, I have shown you the successful history of bicameralism; have shown you that it is an axiom of political science adopted as fundamental by the greatest constructive minds which have wrestled with the organization of government. We reviewed its successful workings for over a century, and in contrast with its success we found only failure for unicameralism in every instance of its trial. From that point we proceed to a consideration of the advantages of the bicameral system in the actual making of law. I am safe in saying that no gentleman of the affirmative will have the temerity to base his dissent upon a negation of these advantages.

The success of bicameralism can be accounted for because its advantages are practical. The value of distribution of legislative power between two branches can be summed up as follows: (1) It gives a diversity of representation. (2) It serves as a check and revising agent on legislation, guarantees deliberation and prevents corruption. Diversity of representation is an advantage of

the two-house assembly which the advocates of a single chamber cannot possibly offer. The state of Oklahoma, for instance, as an organic whole, cannot get the consideration it deserves from a body elected by districts, each member personally representing a definite constituency. Nor could these constituencies, with their widely varying interests, be adequately represented in a body elected at large. Only in the two coördinate bodies is this happy union made possible. We offer you statewide representation in one body; we offer you district representation in the other body.

Again, the fundamental principle underlying the existence of a second chamber is that it serves as a check and revising agent. As Hamilton puts it, "A second branch of a legislative assembly distinct from and dividing power with the first, must be in all cases a salutary check on the government. It doubles the security of the people by requiring the concurrence of two distinct bodies." Briefly this check is manifested in two ways, (1) by the interposition of delay necessarily following the passage of the bill in the first house, which gives time for reflection and publicity before its final passage, and (2) in the healthy rivalry between the two houses causing each to subject the measures of the other to careful scrutiny and analysis. In the words of Paul L. Ford in his edition of the Federalist, page 142, "The value of a dual bodied legislative power seems not merely to consist in the additional check on hasty legislation, but in a still greater degree in the inevitable competition



between the assemblies. Both seeking public favor then become rivals, and a measure originated by one body encounters stern criticism in the other."

Let us glance at the necessity for the exercise of a check. It is needed in the case of hasty, ill-considered legislation. It is needed where important amendments or revisions are found necessary after passage by the first house. It is needed in the case of corruption where it is manifestly harder to corrupt two houses than one. It is needed in those many cases where violent passions, prejudice, and ambition predominate and control. A single house is in danger of being rash and one-sided, swayed by emotions or passions, and satisfied with incomplete and hasty generalizations. A casual knowledge of American legislative history proves this in the case of bodies of such high character as have sat in the halls of Congress. Nor is it abstraction to say that a second body interposes a necessary bit of caution and deliberation. Washington showed this to Jefferson one evening when Jefferson, while doubting the necessity of two houses, was endeavoring to cool his tea. "You are proving the advisability of two houses now," said Washington. "How?" "You are cooling your tea before drinking it. That is what we desire in two houses." Honorable Judges, these are not merely assertions, they are the product of history and the teachings of Kent, Story, Lieber, and Madison.

The gentlemen of the affirmative as advocates of a single chamber would take away these advantages of check and deliberation. They would throw aside the

structure of government upon which our law making has been built for a century. They would discard the teachings of the creating minds of our constitution, of our modern scientists. They would ignore the verdict of history, and would have us institute a theoretical frame of government, which is stamped as a failure in all legislative history. No, Honorable Judges, our bicameral form of legislature so far as its structure is concerned can hardly be improved upon. If it has defects, if it has evils, we propose to correct them, not by destroying an effective system, but by making that system more efficient.

Ladies and gentlemen, in conclusion, I have proved, first, that the history of the second chamber records its universal success. In contrast to this success we found the failure of unicameralism in every instance of its trial. Second, you were shown that bicameralism has the endorsement of the trained thinkers, the leading political scientists for a century, and that legislative experts of our present age still uphold its principles. Third, we took up the advantages of a second house and found, (1) that it secures a diversity of representation which is impossible under the plan advocated by the gentlemen of the affirmative. (2) That it serves as a check and revising agent on hasty legislation, guarantees deliberation and prevents corruption. In the further development of this discussion the negative will propose that the defects found in our present legislatures are not inherent in the form of government, that they are not caused because of the existence of a second chamber, but rather

because of limitations and restrictions placed on that governmental structure.

SECOND NEGATIVE, DONALD B. JOSEPH, KANSAS UNIVERSITY

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: It has been pointed out by my colleague that the bicameral system is the outgrowth of experience and practice in government and is sound theory. The best writers and statesmen have almost universally defended it. In practice it has not proved the failure the gentlemen of the affirmative would have you believe.

The only indictment of the bicameral system which the affirmative bring is that the output of legislation has, in many cases, been undesirable. And while they dramatically point to this mass of hasty, crude, and ill-considered legislation, they fail to bring out the real cause of this condition. They have neglected to establish their contention that these defects are the necessary results of a dual organization. We should be foolish to deny that bicameral legislatures do give us some defective legislation, but this admission cannot count against our contentions, until it has been shown that these defects are the necessary result of a bicameral system.

The charges which the gentlemen of the affirmative have brought against the bicameral system are two: first, much of our state legislation is unsatisfactory in character, and second, we find a failure to fix legislative responsibility.

As to the unsatisfactory legislation, I shall point out

that this defect is in no way the result of a two-house organization. Why does our state legislature pass undesirable legislation? This inefficiency of American legislatures is due, first, to a lack of technical skill in drafting laws, and second, to the fact that they cannot have time to consider with deliberation the mass of legislation introduced because of the time limit imposed by the state constitutions. It is not the bicameral system but the impossible task imposed upon it which is responsible for the defects of our state legislation.

Can we expect men representing various districts and classes in a state to have technical skill in drafting legislation? How is the farmer from western Oklahoma to draft a flawless bill or know anything concerning railroad rates or public utilities when his only experience has been in raising milo maize and kaffir corn? In a democracy we must necessarily and rightly have such men in our state legislatures, and therefore technical skill and information must be placed at their command under any legislative organization, if laws are to be scientifically drawn and based upon fact. Without this aid, flawless bills are an impossibility. How, may I ask the gentlemen of the affirmative, can this lack of technical skill and information, be the fault of a bicameral legislature? What is the rational method of remedying this evil — is it to abolish the bicameral system, or is it to supply this lack of skill and knowledge?

In considering the mass of legislation undertaken, the next direct cause of unsatisfactory statutes, I shall show how this flood of legislation introduced and considered



under our short sessions makes our present output of laws so unsatisfactory. Alton B. Parker estimates that the British Parliament in five years has passed only forty-six general and two hundred and forty special laws, while the state legislature of Wisconsin alone in that same period of time, and meeting bi-annually, passed more than twenty-two hundred and fifty.

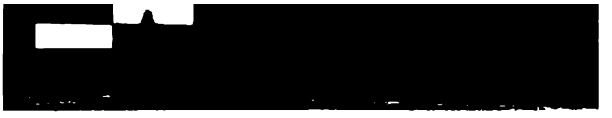
"The mass of legislation is a source of perversion," admits a prominent unicameralist. He continues, "The mass of legislative proposals is so voluminous that serious and intelligent consideration is almost impossible, and much of this legislation can scarcely be otherwise than hasty, ill-considered, and questionable." Yet, he, like the gentlemen of the affirmative, attacks the entire system and overlooks this congestion, the real cause of the trouble. Even at home we find the same evil confronting us. More than seventeen hundred bills were introduced in the last Kansas legislature in the short session of fifty days; of these more than three hundred became laws, an average of seven per day. There was not a man in either house who was able to keep track of this hodge-podge of legislation.

What is the cause of the flood of state legislation? I suppose the gentlemen of the affirmative will lay this perversion also at the feet of the bicameral system. But, Honorable Judges, they cannot with any show of justice defend such a contention. They fail to realize that as things now are an unlimited number of bills can be introduced in any session; they forget that every state senator and representative is expected to bring home

whatever his district demands; and they neglect to examine the statistics that show that approximately three-fourths to five-sixths of all our state legislation is local in character. For example, only fifty-six out of the three hundred bills passed by the last legislature of Kansas were of state-wide importance. If the gentlemen of the affirmative consider these facts they must agree that the accumulated mass of legislation is the direct result of special and local causes, and not in any way connected with the bicameral system. Again I ask, what is the rational method of remedying the evil? Is it to abolish the bicameral system or devise a scheme, as my colleague will show, whereby this special legislation may be reduced and efficiently handled?

The haste with which business is put through in the average state legislature is an additional hindrance to effective legislation. This haste in legislation is further due to the short session of fifty to ninety days which is about the average allowed by our state constitutions. These short sessions compel the legislator to act rapidly or accomplish nothing; and the gentlemen of the affirmative cannot show how a unicameral house under similar conditions will not be compelled to do likewise.

This then is the foundation of our contention, that the unsatisfactory character of our state legislation is due directly to a lack of skill in drafting bills, to the inability of the average legislator to secure adequate information concerning new proposed legislation, and to the unwieldy mass of special and local legislation which



must be considered in the absurdly short session; and these faults cannot in any way be proved to be the result of a bicameral system.

As to the charge that under the present system it is impossible to fix legislative responsibility, the second accusation brought against the bicameral system, I shall point out wherein this defect is in no way the result of a two-house organization. Take a careful survey of the situation. Why is our state legislature irresponsible? One of the prime factors making for irresponsibility is the fact that a member may introduce as many bills as he wishes without sponsoring any of them; in other words, much of the proposed legislation is introduced, not in the expectation on the part of the member introducing it that it will be passed, but simply for the reason that he wishes to satisfy the demands of particular constituents. The legislator has no fixed responsibility, and if the bill is killed, he may tell his constituents that he did his duty. It is true he did introduce the measure by dropping it in the box at the back of the room, after which he speedily forgot about it. Now, will the gentlemen of the affirmative introduce evidence wherein this first cause making for lack of fixed responsibility is the result of a long-suffering bicameral system?

The last and most potent cause of irresponsibility is the nefarious committee system which, as I shall presently point out, is not in any way due to the two-house organization of the state legislative system. The committee system with its large powers and secret sessions

has given to our legislative machinery an unwieldiness and cumbersomeness which do tend to complicate legislative procedure and lessen responsibility.

Let us analyze this committee system and its reasons for existence. I have told you of the mass of legislation which must be considered in absurdly short sessions of fifty to ninety days. The committee system was invented to assist the lawmakers through the mass of bills which the whole legislature had no time to consider in minute detail. And on account of the shortened sessions practically the only deliberation a bill gets is in the committee. It is here that the responsibility is shifted. The committee has absolute power over the fate of a bill. It has complete control of all legislation referred to it. Its rules of procedure are of its own adoption; it meets when it wishes; hears what it wishes; reports what it wishes; and is never thrown into the spotlight of publicity. It is in the secret sessions of the committee, in the dark corners and hidden sessions of the committee-room, that the responsibility is shifted. It is there that the light of publicity never penetrates; it is there that the constituents are deluded; and it is there that the politician puts through his pet schemes of legislation. The gentlemen of the affirmative cannot deny that the nefarious practices of committees are at bottom the real cause of irresponsibility. And how, may I ask, can this result in any way from the bicameral system? What is the rational method of procedure — is it to abolish the bicameral system, or is it to remedy the committee system itself?



The fact that we have two houses in our state legislature does not lessen the responsibility of either house, but only insures added deliberation. Any bill defeated or passed by one house is immediately made public, and the house responsible for such a bill must carry the burden. We charge that the irresponsibility of our state legislatures does not result from the bicameral system but is due to the failure of the legislator to sponsor his bill upon its introduction, and to a cumbersome, irresponsible committee system. The entire indictment of the bicameral system by our friends of the affirmative fails fundamentally when they neglect to prove the inherent relationship between the defects of our legislative machinery and the bicameral system.

I have shown that the two fundamental defects, the passage of unsatisfactory legislation and the legislative irresponsibility, are not in reality the result of the two-house organization, and for this reason they can, as my colleague will show, be easily and safely remedied.

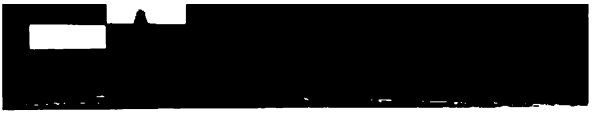
It is folly to contend that a system of government which has withstood the storm and stress of one hundred and twenty-five years in our states has inherent defects. Defects there are, Honorable Judges, but they are not the inherent faults of this system, but the natural outcome of unnatural restrictions placed upon our state legislatures; and if these restrictions are once removed, the legislation will cease to be unsatisfactory and our legislatures will become responsible.

A system under which we have lived for over a century, a type of legislature which has given us so much

admirable legislation, and one which has given to the people of the state the laws which they have demanded should be examined most thoroughly before it is discarded. If this examination reveals that the evils of inefficiency and irresponsibility are not due to the bicameral system, but as I have pointed out, are the direct result of restriction placed on that system, it would certainly be advisable to try the simpler remedy rather than set up a complete experimental form of state legislature.

THIRD NEGATIVE, A. L. FRANK, KANSAS UNIVERSITY

Honorable Judges, Ladies and Gentlemen: My colleagues have shown you that the bicameral theory is sound, that history has given its unqualified verdict in its favor, that the faults of legislation are not to be laid at the feet of bicameralism but are due simply and solely to practices in the internal organization of each house which can be easily remedied. I shall complete the proof of our proposition by establishing to your satisfaction: first, that the rational and only necessary method of procedure in curing our legislative ills lies, not in abolishing the system in favor of unicameralism, but in cutting away those incumbrances and excrescences which have tended to vitiate its usefulness; second, that we offer you all the advantages of unicameralism plus those inherent advantages of bicameralism which cannot be secured in any other system. When we have satisfied you upon these points we shall have completed the proof of our contention: that the revolutionary change



advocated by the gentlemen of Oklahoma is unnecessary and undesirable.

We are agreed upon one point; the output of legislation has been unsatisfactory in actual practice, it has been too profuse, loosely worded, irresponsible, chaotic. But, honorable judges, the opposition, in resting its case upon this one indictment, has been blind to the very palpable fact that it has proved absolutely nothing in regard to bicameralism. Is it not evident that until they prove conclusively that the defects which cause faulty legislation are caused by two-house organization, are inseparably bound up in it, and are absolutely uneradicable except by destruction of the system — is it not evident, that unless they prove this point, their discussion of legislation is as entertaining and germane to the subject as a discussion of the capitol building in which the laws are made? No, let the gentlemen prove to us first that the evils are inherent in dual organization and cannot be cured except by destroying the system. Then and not until then can the gentlemen who preceded me consistently urge upon our attention their plans for unitary organization.

But my colleague has shown you that such a position is untenable. He has proved that the evils are not inherent, that they are extraneous growths, that simple reform can and will eradicate, and my opponent has not seen fit to meet the issue. In his silence he has neglected the vital consideration of this debate. We show you a patient whose ills are curable. What is the rational procedure? Says Oklahoma, "Kill the patient"; we

say, "Cure him." We show you a system the ills of which are eradicable. Says Oklahoma, "Destroy the system." But we ask you if the rational procedure is not rather the eradication of the evils?

My colleague has told you of these evils and pointed out where reform is necessary. To secure the inherent bicameral advantages of check, revision, and diversity of representation we advocate two houses, the lower elected by district, the upper at large. To secure better men both houses shall be smaller, sessions shall be unlimited, and salaries paid per annum, instead of per diem. To secure the maximum of efficiency we shall adopt the famous Wisconsin plan almost in its entirety, providing as it does for a legislative reference bureau, a clearing house open to the members for all that experience has to offer on legislative matters, a trained corps of bill drafters, a reviser whose duty it is to maintain loose leaf ledgers and card indices of all judicial decisions and all statutes in force and repealed. To secure the maximum of responsibility we shall accept Bryce's advice and separate local and private from public legislation, providing, that there shall be but one committee in each house — the private bills committee — which shall keep a journal, hold its meetings at specified times, record the votes of its members upon all matters and invite the public to all proceedings. Its reports shall have precedence on the calendar on three days in the week. The remainder of the time shall be given over to matters of general public interest. This simply means, ladies and gentlemen, that some seventy-five per cent. of



the total legislative burden will be taken from the shoulders of the legislators. It means that in the last Kansas session fifty-six measures of general importance would have received the open and careful consideration of a two-house legislature. It means that every member can be made to stand sponsor openly on the floor of the house for every bill he introduces. It means that the dark corner of the committee room, the abiding place of shifted responsibility, is swept away. It means that the shackles are stricken from the wrists of the legislators and the emancipation of an enslaved system.

Now let me ask the gentlemen what attitude they will take toward these simple matters of reform? Can they reject them? No, they have not rejected them, they have incorporated them entire in their own plan, the best evidence we could wish as to their advisability. But in admitting what they do, do they not realize how they have compromised their position? They acknowledge the efficacy of the reforms and have not questioned that they will work under the bicameral system as well as under the unicameral. In their fatal admission of these reforms they have acknowledged that there is no necessity for a destruction of the present system. This is then their novel and charming plea: "The old plan doesn't work, so try ours." And in the next breath: "Ours won't work either unless you protect it." Then with admirable consistency they ask for those measures of protection the lack of which is the only foundation of the complaint against the present plan. Honorable Judges, all we ask at your hands is that you remove

for us, as they have asked for themselves, these burdens that have weighed so heavily upon the broad shoulders of bicameralism and let it rise to its full height in its pristine vigor and vitality. We ask for simple reforms and maintain that the radical and violent change is totally unnecessary and illogical. We have shown you, then, that the only rational and necessary method of procedure is to eradicate the evils in the present system, and in the development of this contention have presented to you the constructive plan of the negative.

But in addition to this fact that it is the only necessary step we maintain that it is the advisable step, for it offers all the advantages of unicameralism plus those which are inherent only in two-house organization. What have the gentlemen claimed for their system that is distinctively unicameralistic? Have they offered you anything that is distinctively unicameralistic? Have they offered you anything that can justify the revolutionary change they desire? Smaller numbers, larger salaries, lengthened sessions, better men, decreased expense, are offered to you by bicameralism. We offer you the maximum of efficiency and fixed responsibility. They have offered nothing that could justify the change; every plan they have developed to-night if applied to the bicameral system would bring as effective results. I submit this question to your good judgment. Do you propose to endure the agitation, the disturbance of a violent, convulsive change in order to secure advantages which can be as effectively secured in peace and quiet.

But we offer you more, ladies and gentlemen,— not



only all the advantages of unicameralism but also those which bicameralism alone assures. I need not dwell upon those characteristic advantages which my first colleague established to your satisfaction, except to say that the attack of the gentleman who preceded him was wholly unwarranted. He says that the check does not check. I ask him how we could expect the check to work as it was intended when bills are introduced averaging one to every fifteen or twenty minutes, when in a New York legislature one passed for every fifteen minutes, when unicameralists admit that serious consideration is impossible? And what folly for him to talk of no more classes and no need for diversity of representation. Would he say that there was not greater complexity of social and economic interest to-day than ever before? Has he lost sight of the existence of cities and rural communities, of the veiled antagonism between them, of which every legislator is cognizant? Would he say that the member from Oklahoma City is familiar with the needs of Alfalfa County? Whatever the origin of the two houses in class distinction, certainly there is to-day such a diversity of interests as never existed before. But my colleagues in their rebuttal speeches will satisfy you more fully upon these points. We have shown that the system which we have outlined offers all the advantages of unicameralism plus those which are characteristically and inherently bicameral. So we submit to you that the change advocated by Oklahoma is not only unnecessary, it is as undesirable as it is unnecessary.

In the course of my discussion I have shown,— first, that the simple, rational procedure lies in curing, in the present system, the ills which have perverted legislation. Strip the unicameral system of these reforms and what has it to offer? Nothing, absolutely nothing, not an inherent good quality. It is a legislative body without a check, ruled by avarice, whim, and caprice. I have shown you that we offer all that can be urged in favor of their system, plus those advantages which are characteristically bicameral.

The negative rests its constructive argument with you, Honorable Judges, confident that it has satisfied you upon these fundamental points: First, that bicameral theory in contrast to unicameral theory is sound; Second, that perversion of legislation in the modern state legislatures is due solely to causes extrinsic to dual organization; Third, that the bicameral system should be relieved, therefore, of those burdens which have compromised its usefulness, rather than that it should be abolished in favor of unicameralism.

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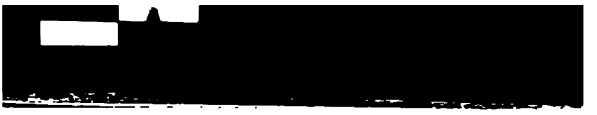
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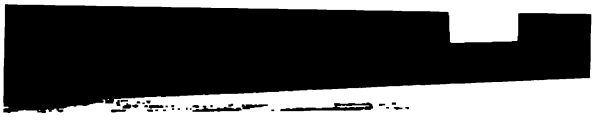
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THE INJUNCTION IN LABOR DISPUTES

THE INJUNCTION IN LABOR DISPUTES

LAWRENCE COLLEGE vs. *CARROLL AND ALBION COLLEGES*

In annual debates with Carroll College, Waukesha, Wisconsin, and Albion College, Albion, Michigan, on the question of using injunctions in labor disputes Lawrence College came out victorious. Albion College was defeated by a two to one decision March 4, 1914, at Albion, and Carroll College April 10, 1914, at Appleton by a two to one decision.

The question was stated: "Resolved, that in labor disputes no injunctions should be issued other than against intimidation and acts of violence directed against physical property."

The material of this debate is extremely interesting in view of the fact that the trust regulation now before Congress makes this exemption from the injunction possible for the labor union.

The debate speeches were contributed for the debaters by Mr. F. Wesley Orr, Professor of Public Speaking at Lawrence College.

THE INJUNCTION IN LABOR DISPUTES

LAWRENCE COLLEGE vs. *CARROLL COLLEGE*

FIRST AFFIRMATIVE, EARL MAC INNIS, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The question for discussion this evening is: Resolved, that in labor disputes no injunctions should be issued other than against intimidation or acts of violence directed against physical property. This question has as its aim the limiting and defining of the powers of the courts of equity in order to minimize the chances for error in the issuance of injunctions in labor disputes, and to help equalize the present unequal forces of Capital and Labor in the great industrial struggle.

The practice of issuing injunctions in labor disputes originated in England in 1868. This case is known as Springhead vs. Riley. Twenty years later this case was taken as a precedent for the issuance of the injunction in the case of Sherry vs. Perkins in Massachusetts. This latter case has furnished the precedent for the injunctions which have been issued since then in labor disputes in America. Public interest in the question has been aroused by the decisions rendered in the Debs case in the Chicago strike of 1894 and the



case of the Bucks Stove and Range Company in 1908. Both cases aroused so much public sentiment against the indiscriminate use of the injunction that the question of its regulation has since become a political issue. The Democratic party platform for 1912 said: "Experience has proven the necessity of a modification of our present law relating to injunctions. . . . It is the function of the Courts to interpret the laws . . . and if the laws appear to work economic, social or political injustice, it is our duty to change them. . . . As judicial processes may be abused, we should guard them against abuse." The Socialist platform for 1912 says: "We advocate the immediate curbing of the power of the courts to issue injunctions."

Before going further in the discussion of the question, I wish to define a few of the terms involved. "An injunction," according to the American and English Encyclopedia of Law, "is a judicial process issuing out of a Court of Chancery, whereby a party is required to do or to refrain from doing a particular thing." According to the United States Bulletin of Labor No. 96, physical property means "material things that may be destroyed or their value annihilated. It is owned and kept for some useful purpose and it has no value unless it can be used." The term intimidation is one that may seem ambiguous. Bovier's Law Dictionary defines it as "the wrongful use of violence or a threat of violence with a view to compel a person to do or to abstain from doing any act which he has a legal right to do or to abstain from doing." We must not put too narrow a limitation on this

term. The circumstances attending each case must be taken into consideration, and there must then, necessarily, be some discretionary power left in the hands of the judge to determine whether or not intimidation is involved. Peaceful picketing, peaceful persuasion, and peaceful strikes, cannot be included under the term intimidation. It does, however, include certain forms of the boycott.

Injunctions are issued by courts of equity. In order to understand this question properly, we must know the purpose of equity courts and the relation they bear to the courts of law. Equity had its origin in England about the twelfth century. At that time the law courts had become stiff and inflexible. Formality was the prime motive rather than the giving of justice. Failing to get redress in the courts, the people turned to the king for help. He responded by creating the chancery court or, as it is called now, the court of equity. Courtney says on page 225 of his book, "Working Constitution of the United Kingdom," "the jurisdiction of the court of chancery arose to supplement the deficiencies and correct the injustice of a limited and rigid common law." Thus the equity court originated because plain and adequate remedies were not obtainable in courts of law. Had the rules of the common law courts been more liberal, it is doubtful if there ever would have been occasion for the establishment of equity jurisprudence side by side with common law jurisprudence. Now statute law may amend and does amend or alter both the common law and equity law. The Judicature Acts in England enacted from 1873 to 1879 completely trans-



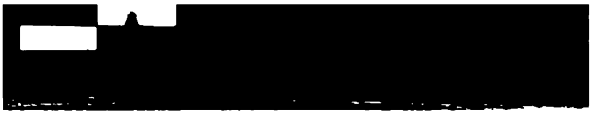
formed the organization of the courts of England and very materially simplified the mode of procedure.

The liberalizing effect of statute law is shown in our own country by the Massachusetts Practice Act of 1883 and the Wisconsin Practice Act of 1911. These acts abolished all distinctions between law and equity. The rigid classification of civil actions has been modified so that all that is necessary is to declare in contract, tort, or replevin. Volume 4 of the *Encyclopedia of Pleading and Practice* says on page 797: "The tendency of modern juridical practice towards greater simplicity and an absence of technicalities is noticeable." From this we see that the whole tendency of statute law, both in England and the United States, has been to liberalize the courts and make justice more accessible to every one.

It is evident, then, that with the simplification of procedure in the common law courts the occasion for equity jurisprudence should decline. Therefore, it is not only a logical conclusion, but it is a natural and reasonable expectation that equity should give up some of its powers. But what do we find? On the contrary, equity is not only retaining all of its powers, but by means of the writ of injunction, it is reaching out and assuming powers which really belong to courts of law. Originally the injunction was used only in restraint of action, but recently it has come to be used to compel action and is now being used to restrain where there is a full legal right to act, or where the law provided a punishment. The oil and tobacco cases which were decided in the

Supreme Courts of the United States in May, 1911, well illustrate the unwarranted extension of the courts. Justice Harlan, in his dissenting opinion in the Senate Document No. 34, 62nd. Congress, says in regard to this act of the court, "I have the authority of this court for saying that such a course would be judicial legislation. . . . I refer to the most important aspect of this case. That aspect concerns the usurpation by the judicial branch of the government of the functions of the legislative department." So commonly have courts of equity exercised the power to punish directly cases of contempt of their order committed beyond the presence of the court that people generally are surprised to learn that this power is one assumed only in late years. Solly Ford, in the Transactions of the Royal Historical Society, Volume 3, finds that in early cases of contempt not one was dealt with otherwise than according to the course of the common law, that is, by indictment or information at common law and trial by jury. James Fox in the *Law Quarterly Review,* 1908, cites a number of cases showing the same things. Professor Bale in the *Harvard Law Review,* of January, 1908, says, "Down to within a century it was very doubtful if the Chancellor could under any circumstances inflict punishment for the disobedience of a decree." It is evident then that the practice of punishing cases of contempt by equity courts is of recent origin, showing that they are extending their powers into the field of courts of law.

This almost unlimited extension of the powers of courts of equity has naturally led to certain abuses.



They may be divided in two classes. The first class consists of abuses resulting from the enjoining and punishing of acts by a judge in a court of equity, when they should have been tried by a jury in a court of law.

It is undoubtedly true that the effectiveness of any law depends upon the swiftness with which it can be applied to a given case. Here lies the power of the injunction. With no complicated methods of procedure to hinder, and with unlimited power to enforce his demands, the judge may issue the injunction, hale an offender into court, fine or sentence him to prison, all in one day. But in this very fact lies the danger. No one realizes so fully the effectiveness of such a method as does Capital. Backed by the best legal talent to be had Capital has been able in scores of cases to induce a judge to use this unlimited power outside of equity jurisdiction. Labor, which under the constitution is guaranteed a trial by jury, has been forced to submit to one man rule. Take for example the case of Debs in the Chicago strike in 1894. On the ground that the A.R.U. was obstructing the United States mails in spite of Judge Wood's restraining order, Debs and the other officers of the union were arrested for contempt of court. Without a trial by jury, Judge Wood condemned Debs to six months in prison and his associates to three months. President Cleveland's strike commission said: "There is no evidence before the commission that the officers of the A.R.U. at any time participated in or advised intimidation, violence, or destruction of property." Debs and his associates were accused of forming a conspiracy

in restraint of trade. To permit one man to determine such a point when, as in this case, statute law is adequate, is an abuse of equity, an unwarranted overlapping of equity's powers into the realm of statute law. Debs and his associates should have been given a trial by jury where they would undoubtedly have been acquitted, but under the power of a single judge, they were made to suffer for the acts of lawless loafers who took advantage of the opportunity to destroy railroad property.

Now, Honorable Judges, I have shown you that equity jurisprudence arose to supplement the deficiencies of the common law courts; that many of these deficiencies have been rectified; that to the extent that common law jurisprudence has been liberalized, to that extent is equity jurisprudence unnecessary; that, instead of giving up any of its powers, equity is extending its scope, which has led to certain abuses.

First of all I have shown the abuse of the power of equity to enjoin acts which are adequately cared for by law. In asking for a limitation of the injunction power, Labor seeks no advantages not accorded to every other citizen. When a workman is charged with a crime or any unlawful conduct, provided such act is not intimidation or destruction of property, it is only fair that he should be accorded every right, be apprehended, charged, tried, by the same process of law as any other person. Not only in the interest of Labor, but in the interest of all the people of our country, for the preservation of real liberty, for the elimination of class hatred, and as a step toward equalizing the forces of Labor and Capital,



we of the affirmative advocate the limiting of injunctions to intimidation and acts of violence directed against physical property.

SECOND AFFIRMATIVE, ALBERT FRANZKE, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The last negative speaker said that every possible precaution is being taken to prevent abuse. If this were true, how could we account for the abuse which we have shown you to exist? Honorable Judges, you must have noticed that every preventive the negative referred to was concerned with the method of issuing the injunction and not one of them in any way defined the limits of the field in which the injunction is to be used. They can point to preventives, but to none that will remedy the abuse that we wish to remedy.

We would have the gentlemen explain just what they mean when they claim to be in sympathy with labor. They are defending the unfair means of labor's most bitter enemy by upholding the unrestricted use of the injunction, the weapon which is used to subject labor to capital.

Honorable Judges, our first speaker has explained to you one type of abuse which we wish to remedy. Namely, the use of injunctions in cases which come under the jurisdiction of common or statutory law. Momentous as this abuse may be, we are concerned with another type which is of still greater significance. It is

the enjoining of strikes, and of certain acts in strikes which are recognized as undisputed rights of labor.

Society has not taken from labor the right to strike for a just legal cause. No legislative body has ever declared itself against the principle of the strike. Yet we have a system of issuing injunctions under which an individual judge can do that very thing. In view of the fact that we may have some corrupt judges, can we fail to realize what an unsound, dangerous, and undemocratic system this is? You may say that every precaution is being taken to prevent abuse, but I will show you how judges have, in perhaps a sincere manner, taken advantage of this unlimited field, and there was absolutely nothing to prevent it.

There are judges who, though not necessarily corrupt, are so extreme in their views as to believe that labor has no right to strike, and under the present system there is nothing to prevent them from issuing injunctions on the basis of that belief. I cite the case of Judge Jenkins. In that injunction the employees of the Northern Pacific Railroad were restrained from quitting the service of the railroad with or without notice so as to cripple the property. This injunction cannot be defended. It was condemned by the judicial committee of the House of Representatives as follows: "The action of Judge Jenkins was an oppressive exercise of the process of his Court, an abuse of judicial power; said orders were an invasion of the rights of American citizens, and therefore deserving the condemnation of the representatives of the



American people." This is not the only case of its kind. Judge Jenkins supported it with two similar injunctions, one issued by Judge Hicks and the other by Judge Taft. There is no reason why such cases shall not arise in the future, and justice demands a preventive measure.

Such injunctions are of course not daily occurrences, but there is another means by which judges achieve practically the same end. Instead of enjoining the strike itself, they enjoin those acts in the strike which are most vital to the success of it. They tie the hands of labor in such a manner as to make the strike useless. Let us consider the case discussed in the survey of February 7th, 1914. An injunction was issued by District Judge Dayton against the United Mine Workers of America. That organization is one of the oldest of its kind and its methods have always been recognized as legal and just. However, Judge Dayton believed that it was an illegal organization, and on that basis issued an injunction the substance of which is as follows (quoting from the survey): "The defendants were not to talk to any persons in the plaintiff's employ, or about to enter it, for the purpose of inducing such persons to become members of the Union or any of its branches." They were not to approach these men and point out to them what avantages they would have as members of the Union, how they might improve their conditions in life, how they would be assisted when ill, or when out of work, or how to secure protection for their wives and children. Does not this show us that it is dangerous to

permit judges to issue injunctions on the basis of what they personally believe should be enjoined. I call your attention to some more cases in which the abuse is equally as obvious.

In the I. E. Greenwald Company case in Cincinnati in 1904 the strikers were restrained from inducing by persuasion any of the employees to fail to discharge their duties. In the American Steel Company case in Cleveland they were enjoined from going singly into the homes of the workmen for the purpose of coercing them to quit work. This injunction killed the strike and the Union. It played into the hands of capital by a further suppression of underpaid labor. In the Worthington Coal Company case in West Virginia the strikers were enjoined from in any manner interfering with the employees so as to induce them to abandon work. In the Armourdale case in Kansas in 1907 they were enjoined from interfering with the business, property or employees of the complainant. When placed under such orders, what freedom has labor? What action can they take without interfering in some manner? Surely we can see why such an order is destined to kill the strike.

If the cause of Labor is a just one, and it is unlawful to enjoin the strike, neither have our judges the right to enjoin peaceful acts in the strike; if it cannot be done directly, it should not be done indirectly. Another example — In the case of Levy vs. the Cigar Makers Union, the strikers were enjoined from offering means of support to hungry workmen for the purpose of continuing organized, concentrated and combined action.



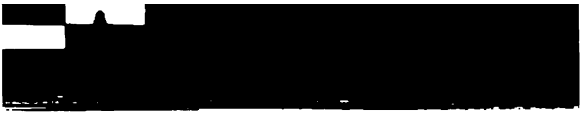
It is such action that demands the proposed limitation, because it is crushing the just cause of labor.

It is impossible for me to quote the entire injunction in any one of these cases, but I want the gentlemen to understand that nothing could be cited from any one of them which could in any manner alter the meaning of what I quoted. They are cases of shameful abuse, and they must be faced as such.

This abuse brings us face to face with a serious question. Are our judges, as a class, so corrupt as to wilfully discriminate against labor? Our answer is an emphatic "No." Not as a class, though no one can doubt that there are some corrupt judges. Three have been removed by the United States Senate, and others by the States. However, the abuse is not so much the product of a corrupt judicial mind as of our unhappy judicial system. Nearly all of our federal judges enter upon the bench as great corporation lawyers. Such men as Justice Layton, Pitney, Day, Holmes and Clark. These men have spent the greater part of their lives in defending property rights. In harmony with a psychological law they have been compelled to close their eyes to the interests of the common workmen. Then — our judges are bound by precedent. One abusive injunction is used in support of others. Soon it becomes a basic rule, and occasionally a judge exceeds the established precedent. This is the natural process. It is gradual, and unnoticed by those not directly affected. Therefore, it is continuing, and has reached a stage where it threat-

ens to destroy the rights of labor and our respect for court and law.

To-day in the industrial world is being fought a mighty struggle. On the one hand is capital with the unlimited resources of splendid organization, untold financial backing, the best of legal talent, a judiciary trained to protect property rights, and last but not least, the right to the unrestricted use of the injunction, the most powerful weapon of all. On the other hand we find labor, only partially organized. Its only financial resources are the dues extracted from underpaid toilers; its only lawful weapon of defense, the peaceful strike. What an unequal combat! Is it any wonder that capital has exploited labor? That the few have been growing richer, and the poor, poorer? Does not simple justice demand that every measure and every means be adopted that will tend to equalize the combat? Since the unrestricted use of the injunction is a means of oppression as illustrated in the cases I quoted, where labor's only weapon of defense, the strike, was practically destroyed, is it not time that this injustice was corrected? We acknowledge the need of the injunction writ to prevent the unlawful acts of intimidation and violence against property, but there is no argument that can justify the abuses we have shown that are due to the unrestricted use of the injunction. Therefore, we maintain that the proposed restriction is not only warranted, but is essentially necessary if labor is to hold its own against the strongly entrenched power of organized capital.



THIRD AFFIRMATIVE, CHARLES M. PORS, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: Our case so far has shown you that courts of equity originated solely as supplementary courts, and that as court procedure has been simplified the jurisdiction of equity should decrease. However, we have shown that equity has been extended and from this extension two classes of abuse have arisen. Now these abuses are due to the fact that there is no check, no limit whatsoever, upon a judge. He has it in his power, corruptly or acting sincerely, to use the injunction in cases where it has no jurisdiction.

The question naturally arises then, how can we so restrict the power of the judges in the use of the injunction in labor disputes as to remove these two classes of abuse. The affirmative maintains that the reasonable and logical way is to limit the use of the injunction in labor disputes to intimidation and acts of violence directed against physical property.

Now, we wish the negative to understand in the first place that we do not propose this remedy as one which will correct all the evils and abuse of the injunction in labor disputes. We do not propose to defend our remedy as a cure-all, but we do maintain, first, that the two classes of abuse mentioned are the most vital ones and are doing the most to hinder the cause of labor, as our second speaker has clearly shown; and second, that the

proposed restriction will effectively remove these two classes of abuse.

We must now show that the remedy really does restrict the judge, for it is his unlimited power which has led to the abuse. Under the proposed plan, before a judge can issue an injunction, he must show that the act enjoined is intimidatory or destructive to property. By putting these limits around the writ it definitely makes a field wherein the use of the injunction must remain. Certainly the judge will not then have the wide range of power with this writ that he has had in the past.

Now, let us take each of the two classes of abuse and see how they are affected by our remedy. The first class is found in those injunctions which enjoin acts for which there is an adequate remedy at law and where labor is forced to submit to judge made law and is deprived of the right of trial by jury. Now, under the proposed limitation trial by jury would be granted every offender against the law unless it could be shown that his threatened acts were intimidatory or destructive to property. Equity would have no jurisdiction in labor disputes except in these two cases, because its jurisdiction would be definitely defined. One man power would be brought to an end and justice through the recognized channels of our court system would be guaranteed to labor. Thus the first class of abuse would be remedied.

The second class of abuse is that found in injunctions which restrain men from performing acts which they



have an indisputable right to perform. Now, no one will argue that men have an indisputable right to intimidate others or to destroy the property of others. Thus the enjoining of such acts, which this remedy provides for is perfectly proper. Therefore, if a judge can enjoin only these two specific acts, which all admit should be enjoined, he will not be able to restrain men from doing acts they have a legal right to do. Thus we see that the proposed remedy effectively removes the two most vital classes of abuse resulting from the present unrestricted use of the injunction.

Moreover, Honorable Judges, the proposed restriction leaves enough of a field to include all cases in labor disputes where the injunction is absolutely necessary. That there are cases outside of intimidation and acts of violence that demand the injunction is not sound. There are adequate law provisions to deal with all such cases. The opponents of such a restriction may hold that the injunction is needed when labor disputes tie up interstate commerce and delay the mails. But is this true? After the great Pullman strike in Chicago, Congress in 1898 passed the Erdman Act. This act provides that in case of a controversy between common carriers and their employees, the Chairman of the Interstate Commerce Commission and the Commissioner of Labor shall endeavor to settled the dispute. In case of a failure, it is provided that both parties shall appoint an arbiter, which two shall appoint another, and these three shall definitely settle the dispute. The award of this board is compulsory and remains in effect for one year.

Moreover, the responsibility for the moving of the mails and interstate commerce rests upon the companies and not upon the employees. In the *Federal Reporter*, 62, 840, the United States court holds that " The railroad must be kept in operation for the accommodation of the public. Any negligence in this respect is not excused by temporary difficulties. Where the transportation of the mails and interstate commerce has long been interrupted by the refusal of the employees to move trains carrying Pullman cars, it is the duty of the railway company to use every effort to move the mails and interstate commerce, without regard to the makeup of the regular trains, and any failure to perform this duty is a violation of this statute," namely Section 3995 Revised Statutes of the United States. And as long as intimidation and acts of violence are not threatened the railway companies will find it comparatively easy to handle the mails and all perishable freight. As soon as these two acts are threatened under our remedy the injunction can be used to remove them. You see how adequately that situation is met.

The negative may argue that even with these provisions a loss of property may be entailed from a strike of this nature. Granting that argument, the fundamental point at issue, then, is, which is the most detrimental to a country founded upon the principle of equal rights, a sacrificing of human rights to preserve a little property, or the sacrificing of a small amount of property to preserve human rights? This country was born in a struggle for human rights. Eighty years later we gave up our best that the principle of those rights might be



perserved. Are we now going to allow some of these rights to be kept from our working citizens by the extended use of the injunction merely to save a little property, when in the past we sacrificed life and property to get and keep them? By all means, no! Our laws and statutes provide a sufficient protection to our mails and our interstate commerce and the injunction is not needed and should not be used at the instigation of capital to crush and stamp out the rights of the common man.

Then, they may say that the writ should be used against the blacklist and the lockout, but those who maintain such a policy must be entirely ignorant of the facts, for in the history of labor disputes in this country this writ has never been used against either of these. Labor has never been able to secure an injunction against them, for the injunction is capital's weapon and not labor's. Honorable Judges, a thorough study has failed to reveal any cases outside of intimidation and acts of violence where the injunction is absolutely needed. Why then, should this writ be unrestricted, when its unrestriction leads to abuse?

This debate in its final analysis sifts down to the relation of the injunction to labor and capital. Injunctions in labor disputes show clearly that it has been used as capital's weapon against labor. The affirmative maintain that it is unjust to allow capital to oppress labor through the implements of government. A comparison of the relative strength of labor and capital shows everything in favor of capital. The National Manu-

facturers' Association, representing capital, has annual resources of over one hundred million dollars, while the American Federation of Labor has only two hundred and forty-six thousand dollars. Capital naturally and inevitably combines, while labor finds it has to organize. Capital has as its weapons the lockout, the blacklist, private detective systems, strike breaking bureaus, and worst of all the unlimited and unrestricted injunctions; while labor has only the strike.

Do not misunderstand us, the affirmative does not uphold the strike in all its features, but we do maintain that if you take violence and intimidation out of the strike it is then a lawful attempt on the part of labor to press its cause. Here is where our plan fully meets the needs. We would restrain the violent and intimidatory features of the strike but permit labor to use this weapon in so far as it is lawful. This remedy aims to give justice, it aims, in a measure, to equalise the fighting strength of labor and capital, for it would take from capital its most malicious weapon, and at the same time would leave to labor the legal and lawful features of its weapon.

Now, since the proposed remedy will effectively remove the two most vital types of abuse, since the restriction leaves ample field for the use of the injunction where it is needed, and since it is a measure which will tend to equalise the struggle between labor and capital, the affirmative emphatically maintains that this restriction should be made and that the injunction should be used in labor disputes only against intimidation and acts of violence directed against physical property.



FIRST AFFIRMATIVE REBUTTAL, EARL MAC INNIS, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Gentlemen: The gentlemen of the negative have quoted a California Supreme Court decision saying that such a limitation of the question as we propose is unconstitutional. I would like to inform them that practically the same limitation we have proposed is incorporated in a statute in that state now. It reads in part as follows:—

"No agreement, combination or contract between two or more persons to do any act in furtherance of a trade dispute between employer and employees shall be deemed criminal, nor shall those engaged be punishable for the crime of conspiracy, if such act if done by one person would not be punishable as a crime, nor shall such combination be considered as in restraint of trade or commerce, nor shall any injunction be issued thereto; provided that nothing in this act shall be construed to authorize force or violence, or threats thereof."

This law has been in effect there since 1903. Does that look as if it were unconstitutional? Furthermore, California is not the only state which has limited the injunction. Maryland passed such a law in 1884. On May 4th, 1913, the House of Representatives of the United States passed a similar bill.

The negative have been slightly misinformed as to the number of injunctions actually issued in labor disputes. They stated that from 1903 to 1913 only twenty-six injunctions out of six hundred and forty-three listed

in the *Federal Reporter* were issued in labor disputes. We agree entirely but would like to have the gentlemen know that the injunctions given in the *Reporter* are but a small per cent. of the number actually issued.

Most injunctions are not reported unless they are contested. Most injunctions in labor disputes are issued "ex parte" and are not contested at the time set for a hearing, for the simple reason that the strike during which they were sought has come to an end. Unless someone had been arrested for contempt of the injunction no action would be taken by labor on such injunctions. The following figures will give you some idea of the number of injunctions really issued.

In one month in the fall of 1911 in connection with the clerks and shopmen's strike on the Illinois Central and Harriman systems eleven injunctions were allowed by federal courts. Only one was reported.

In the Chicago teamsters' strike of 1905, Judge Kohlsatt issued nine distinct injunctions. About one hundred men were cited for contempt under these injunctions and thirty actually placed on trial. Only one injunction and one contempt case of these were reported.

Monaghan, counsel for the National Founders' Association, stated before the Senate Judicial Committee in 1912 that his organization had within the last few years secured thirty-seven injunctions in labor disputes out of which grew thirty-six contempt cases.

In 1908 an officer of the Citizens Alliance of California said that that organization had been instrumental



in getting out nearly two hundred injunctions in two and one half years.

In 1901 there were in force at one time twenty-nine injunctions against the striking waiters in San Francisco. In the six months preceding July, 1913, the Court of Common Pleas at Erie, Pennsylvania, issued thirteen injunctions in connection with the moulders and machinists' strike in that city.

Let me quote a few of the authorities the negative have asked for who favor a limitation of the injunction.

Ex-Governor Sadler of Nevada: "The tendency at present to have the courts enforce the laws by injunction, in my opinion, is subversive to good government and the liberties of the people."

Ex-Governor Jones of Arkansas: "Judge Jackson's order is revolutionary, and if upheld by the Federal Supreme Court and submitted to by the people will overturn our system of government and destroy our liberties."

Ex-Governor Pingree of Michigan: "I consider government by injunction, unless stopped, the beginning of the end of liberty. Tyranny on the bench is as objectionable as tyranny on the throne." (Senate Document No. 190, 57th Cong.)

Our opponents have cited the case of Hopkins vs. Baley Stave Company, in support of their argument. According to the statement of one of the judges in that case it is a flagrant abuse and is an excellent example of our first type of abuse.

Judge Caldwell says (House Document No. 50, 55th Congress, page 470): "The only weapon of defense laborers can appeal to is the strike or boycott. These weapons they have an undoubted right to use, so long as they use them in an orderly and peaceful manner. That limitation is fundamental and must be observed. It was observed in the case at bar to the fullest extent."

The injunction charged the defendants with an illegal conspiracy, which according to the Sherman Anti-trust law is a crime. Judge Caldwell says further, "If the bill showed that a breach of the peace was imminent, that fact would not confer jurisdiction upon a court of chancery. It is very certain that a federal court of chancery cannot exercise the police powers of the state and take upon itself either to enjoin or to punish the violation of the criminal laws."

The gentlemen of the negative have asked for more cases where equity is trespassing into the field of statute.

In the cases of Tracy vs. Banker and Hetterman vs. Powers injunctions were secured preventing the defendants from using union labels, which are copyrighted. The copyright laws of the United States give adequate relief in the form of damages for infringements upon copyrights. Therefore, these two cases are definite examples of that type of abuse where equity is overlapping the jurisdiction of the court of law.

SECOND AFFIRMATIVE REBUTTAL, CHARLES M. PORS, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The negative have taken a stand which is untenable. In order to make their case of delay of mails and interstate commerce appear formidable, they have based it entirely upon conditions which existed at the time of the great Pullman strike in Chicago in 1894. Since that time measures have been passed which make it impossible to have conditions again similar to that strike. We now have the Erdman Act and Section 3995 Revised Statutes of the United States, which adequately handle situations of that character. We can not base to-day's actions upon yesterday's conditions, but upon the conditions of to-day.

Instead of meeting our claim of abuse face to face, the negative endeavor to sidestep it by claiming that every precaution is taken to prevent abuse. If that were true how could we account for the abuse we have shown to exist and which the negative have failed to disprove? Honorable Judges, you must have noticed that every preventive the negative referred to was concerned with the method of issuing the injunction and that none of them in any manner defined the limits of the field in which the injunction is to be used. They may point to preventives, but to none that will remedy the abuse which we wish to remedy.

Again the negative say that they want an unlimited injunction in order to avoid damages in labor disputes.

In answer to that, Honorable Judges, we would say that all of the opportunity for damage in labor disputes comes through the use of intimidation and acts of violence, and our remedy adequately removes the use of those agencies in labor disputes and thus that claim on the part of the negative is unfounded.

In a supposed plea for labor the negative have championed the cause of unorganized labor and for the sake of that say the injunction should not be limited, for, if it were, labor unions could force non-union men into the unions. They have failed to show just how this was to be done, and have failed to take the actual facts into consideration. If the injunction is needed to defend non-union men surely it must have been used by non-union men to restrain the activities of union men; but the facts show that not one injunction has ever been issued at the petition of unorganized labor against union men. The negative must meet the facts as they are, and not as they are fancied.

The negative have put forth the statement that there has been no flagrant abuse of the injunction. The first two speakers on the affirmative proved to you the existence of two most vital types of abuse and backed up this proof with ample cases taken from court records. If in the light of that proof the negative assert there has been no abuse, we would call to their attention that two Republican presidents of the United States have considered the abuse of the injunction flagrant enough to demand special messages to Congress; we would tell them that two national parties, Democratic and Social-



ist, have considered the abuse flagrant enough to warrant planks in their party platforms; we would tell them that members in Congress have considered the abuse flagrant enough to introduce before Congress many times acts providing for remedies similar to the one we propose. Honorable Judges, do not these show that abuse must exist? Do the complaints of labor concerning the abuse of the injunction count for nothing? Surely an open and fair mind can not help admitting the abuse of the injunction.

The gentlemen of the negative have told you that in the recent hearing before the House committee considering anti-injunction legislation thirty-nine presidents of railroads protested against anti-injunction laws. They did not tell you, however, that before that same committee there were the petitions of hundreds and hundreds of labor unions petitioning for the very laws the railroad presidents were protesting against. The negative are telling you only one side; they take from the facts only those portions which seem to help their case. In taking this stand against the limitation of the injunction with whom are they keeping company? Herbert Q. Emery, attorney for the National Association of Manufacturers, censured by the House of Representatives for illegal lobbying in behalf of capital; Congressman Littlefield, one of the strongest reactionaries in Congress, and a strong champion of this same association; Congressman Watson, of Indiana, shown by investigations to be a mere hireling of the above association, that association with its millions of wealth, bent on crushing labor. No

matter how hard the gentlemen try to hide the fact, they are championing the cause of capitalistic greed.

THIRD AFFIRMATIVE REBUTTAL, ALBERT FRANZKE, LAWRENCE COLLEGE

Honorable Judges, Worthy Opponents, Friends: Just one more word on this question of the existence of abuse. The negative referred to a New Jersey statute which they say is directly opposed to our proposed restriction. Let me call your attention to another New Jersey statute upon which Justice Reed comments as follows:

Legality of Peaceful Acts in Strikes:
Reed on New Jersey statute.

"The purpose of the act was undoubtedly to legalize strikes. The words are broad enough to legalize a combination to persuade individual workmen to quit or refuse to enter the service of any person or corporation."

In the face of a state law declaring these acts lawful, the negative says that the enjoining of them by an individual judge is no abuse.

Now, in answer to this chart on cases which they assert lie outside of the proposed limits and need the injunction — these four: The sympathetic strike, the lockout, walking delegates, and picketing, we maintain are legal acts when pursued in a peaceful manner. As soon as they become intimidatory or involve acts of violence they become unlawful and our remedy permits the use of the injunction. Boycotts are of two classes: legal



and illegal. The illegal boycott is intimidatory and our remedy handles that. The remaining cases are: interference with interstate commerce and business, breach of contract, wrongful use of the press, attacks on a man's business or property and slander. The important cases of these we have shown you are adequately handled by common statutory law. Here the negative has backed up our first class of abuse by saying that the injunction should be used in cases that are covered by law.

Now let us see what proof the negative has given us in support of these cases. They cited three or four injunctions, but they did not tell us what was enjoined in those injunctions. They did not show us that a single one of them did not involve intimidation or violence and we claim that without these acts they were lawful attempts of labor to press their cause. To uphold these cases the gentlemen should at least have quoted from the injunction or told us just what was enjoined.

In support of the other seven cases the gentlemen set up imaginary cases. They said, suppose this should arise and suppose that should arise? Honorable Judges, we can no longer afford to hesitate or refrain from acting because of "mights" and "maybe's." We can no longer deal in possibilities when labor is being oppressed in such manner as we have depicted. Should we, because of some possible unforeseen harm that might in the indefinite future be suffered by capital, allow a continuation of the present suffering of labor, which we

have shown you is far greater than any injustice which could come to capital?

The negative then claimed that society would suffer as a result of this restriction. Here they are very much mistaken.

Protection of Society and the Use of Injunction.

Society does not demand the unrestricted use of the injunction. Society is not blind to its rights and privileges, yet only a very small per cent. of the injunctions are issued at the request of society. Injunctions are issued at the request of capital and the strikers are enjoined from interfering with the business of the plaintiff and very rarely from infringing upon the limitation because we recognize that if labor is not soon placed on a more equal footing with capital, society must some day bear the burden of elevating it into a life of decency. Therefore, society courts any such just measure which will make it possible for labor to lighten that ever growing burden.

Let me briefly review the case presented by the affirmative. Our first contention was this:— That equity courts came into existence as supplementary courts because of rigidity of common law: — that as these laws have been liberalized and court procedure simplified, the need for equity has diminished. This is a logical conclusion, and the negative has not disproved it. Our next step was to show that instead of relinquishing any of its powers, equity has extended its jurisdiction until to-day at the insistent demands of capital it is



not only invading the realm of common law, but is enjoining the legal acts of men. We have backed these statements with citations from actual cases in which the abuse was self-evident. We have cited lawyers, governors, judges and the Judicial Committee of the House, condemning this action of the courts. We have shown you that this abuse is being suffered by that class of society which is least able to bear it; that the indiscriminate use of the injunction is one of the weapons used by capital to hold labor secure under its dominating control. This cannot be denied. Thus we have shown that these sufferings of labor and society's sense of social responsibility demands immediate action.

We then proposed the limiting of equity jurisdiction, not as a cure-all, but as a remedy for the two greatest abuses of present undefined powers. These abuses arose because of the unlimited equity field. We propose to limit that field to the two essential things where the injunction is needed, intimidation and violence, and when we do that these greatest abuses are made impossible. In place of the personal opinions of the various judges as a basis upon which injunctions are now being issued, we would establish one universal standard which we have shown you would render justice to all parties concerned.

And finally — this limitation would not only correct the abuse, but permit the use of the injunction in all cases where it is absolutely needed. If the negative hold that we have made too narrow a field, then we would say that no possible harm which could come to property rights through this restriction could in any

way compare with the great victory gained for human rights.

Honorable Judges, our case stands intact. The overwhelming evidence which we have presented here tonight of the unrestricted injunction writ cannot be denied. We must admit the reality of this abuse. It is also evident that this abuse was made possible because of the unrestricted field of our equity courts. A limitation of that field which prevents that abuse is the certainty to be desired.

Our plan is simple and effective. Above all, it is just. We are not opposed to capital. We would not give labor undue privileges. We would only make secure for them those rights of which society has not deprived them. In this vital struggle we would merely make more equal the two contending forces. Capital contending for the luxuries of life. Labor struggling for life's bare necessities. Then, since this measure involves so little risk to property rights, and since it means so much to, and would do so much for, human rights, we maintain that this restriction should be made.

LAWRENCE COLLEGE vs. *ALBION COLLEGE*

FIRST NEGATIVE, E. W. TIEGS, LAWRENCE COLLEGE

Honorable Judges, Worthy Opponents, Friends: We agree in general with the interpretation which the gentlemen of the affirmative have put upon this question, but we must disagree from the very first with their interpre-

tation of the Bucks Stove and Range Company case. They have spent their time thus far in showing how the injunctive power has been abused, and as an extreme case they cite that of the Bucks Stove and Range Company. Now let me read from that decision and clear up this misconception. When Judge Lamar of the Supreme Court of the United States gave the decision he used these words: "Judge Wright did not err in the issuance of the injunction; and he did not err in the granting of relief to the Bucks Stove and Range Company; but he did err in granting relief by fining for contempt of court when the action was started at the instigation of a third party, the Bucks Stove and Range Company, when it should have been started by the judge himself." Thus, Honorable Judges, we see that this was, at most, a technical error, and the very decision that the gentlemen would cite as abuse, contains the words that preclude the possibility of considering it such.

The movement to shorten hours of labor, to get safety appliances, sanitary conditions, higher wages, and other improvements that would tend to better the cause of labor, began about fifty years ago. This cause is a just and honorable one, and has won the sympathetic approval of a great majority of the American people. But the methods used by capital and labor in securing and enforcing their demands have not always been justifiable. A brief review of our industrial history will show that in times past both capital and labor have offended in this respect.

Now one of the instruments used to check these law-

less methods has been the injunction. The gentlemen argue that it has been used unfairly against labor, and for this reason they would attempt to limit its use in labor disputes to intimidation and acts of violence against physical property. Whether or not their accusation is just, we shall not consider at this point, but in the light of other facts, let us see if the so-called limitation would be wise.

First of all, in attempting to aid labor, we must be very careful that we do not propose a remedy that, from its very nature, can be used against the labor cause itself. Secondly, we must remember that labor and capital are not the only ones affected by a labor dispute, but that society, from which proceeds the right to labor and to own capital, is vitally concerned. In this day of complex industrialism and interdependence of the factors of production and distribution when an injury to one part may throw the whole system out of gear, thus causing widespread suffering and inestimable loss, the lesser claims of individuals and classes must give way to the superior rights of society.

The first reason, then, why in labor disputes, the use of the injunction should not be limited to intimidation and acts of violence against physical property, is that there are other cases outside of the proposed limits, in which both labor and society can be severely injured.

Let us consider first the injury to society resulting from interference with the United States mails. Eastern merchants order flour and meats to feed thousands by this means. Likewise, western farmers, by the hun-



dred, order their choice seeds and machinery to harvest their hundreds of acres of grain, and prompt delivery is necessary. Thousands of needy workers receive their pay checks through the mails. And by this means the government annually issues hundreds of thousands of orders for the welfare of the commonwealth. Dozens of important uses might be mentioned. This means of communication has grown to be the very nervous system of society. And just as the human system is thrown into chaos when the nervous system is injured, just so, when the mails are stopped, is society injured. Is it right, then, Honorable Judges, that a labor organization, although its demands are just, should take this way so detrimental to society to enforce its demands? Now there is no intimidation or violence in merely uncoupling or sidetracking cars as was done in the early part of the great strike of 1894, but these means were effective in delaying and stopping the mails and the damage done was irreparable. The law was unable to handle the situation and the use of the injunction in this case was imperative. The United States Supreme Court, in Senate Document 189, page 105, registers this decision: "Interference with the United States mails, whether violent or *not*, is sufficient for the injunction because of subsequent irremediable damage."

Another case outside the limits set by the affirmative is the abuse of the freedom of the press. In the dispute between the Cœur d'Alene Consolidated Mining Company and the Miners' Union of Wardner, certain newspapers printed editorials which incited men to vari-

ous forms of violence. Such a situation may be very severely complicated, as in the great strike of 1894, when a great army of irresponsible loafers and parasites joined in the lawlessness, thus causing the strike to get beyond the control of those conducting it and resulting in the burning of great numbers of cars. Now there is no intimidation or violence in the mere publication of these articles, as every one will admit, but there does result irreparable injury. An injunction was issued in the Cœur d'Alene case, after which the illegality ceased and the difficulty was remedied. Such editorials should always be enjoined.

A third case is the interference with interstate commerce. In the past, unions have conspired together to urge the employees of several railroads to quit work simultaneously, as was brought out in the case of Thomas versus Cincinnati. Undoubtedly, the railroads were financially injured by such a conspiracy, but how much more was society injured whose very life in these days is dependent upon keeping open these highways of traffic? There is no intimidation or violence in the mere simultaneous blockade of traffic by the cessation of work. *But* there does result irreparable injury! Who could estimate the damage done by a tie-up in traffic in any of our large cities for just one month? In the Debs case twenty-two railroads were involved. Each year over twelve millions of people and millions of tons of coal and other fuel, grains, fruits, meats, and breadstuffs are transported! To estimate even the damage would be as stupendously impossible as the damage was irreparable.

It is to prevent such a situation as this that we would reserve the right to use the injunction wherever necessary.

Thus, Honorable Judges, I have shown you three distinct instances, first, interference with the United States mails; second, abuse of the press; and third, interference with interstate trade, none of which necessarily involves intimidation or acts of violence, and in every case society can be severely injured if the use of the injunction were forbidden.

Now more than so seriously endangering society, the gentlemen would actually endanger the cause of labor itself by the proposed limitation. Who, we would ask the gentlemen, is liable to intimidate or commit acts of violence during a labor dispute? Obviously in not one case in a hundred will it be the employer, hence you make it practically impossible to use the injunction against him. Yet there are cases where the injunction should be used against him to prevent him from using unfair means. Let us consider briefly just two of these.

We of the negative maintain that there are cases where labor should have the right to use the injunction against the blacklist. A laborer has the right to work for whom and at whatever wage he will. Is it right, then, that because he failed to agree with one employer and possibly through no fault of his own, that he should be denied the right to earn bread honestly for his family by all other employers? In eight states of the union we find notable cases of blacklisting, and in the great majority of these the laborer has had absolutely no redress.

Merely influencing other employers not to hire a workman is not intimidation; neither is it an act of violence; but it does result in irreparable injury to the employee because he has no adequate remedy at law, and such unfair means should be enjoined.

A last use of the injunction, denied, however, by the affirmative, is against the lockout. Previous to 1901 we find that the employers of the United States used exactly nine thousand one hundred thirty-three lockouts. Over two hundred reasons are given by them for their actions. Nearly five hundred times employees have been denied the right to work because they asked for an increase of pay. Employees have been denied the right to work in the attempt to compel them to sign agreements not to strike, and in spite of all the agitation to the contrary, the employers of the United States have actually used this detested instrument to lengthen hours of labor and to decrease wages. Would the gentlemen uphold such conditions? What moral right has an employer to use such means? An injunction should always be used against this unfair means, which is not intimidatory or violent, but which does inflict irreparable injury upon the employee because of the inadequacy of the law.

In conclusion, Honorable Judges, let me say that we of the negative are in full sympathy with the battle of the workman to obtain his rights. We would adopt means that would secure them in the fairest and most efficient manner possible. The remedy offered by the gentlemen is neither fair nor efficient, and would actually be a detriment to the cause of labor itself. Through



interference with the United States mail or interstate trade, labor can severely injure society and justice to all demands that it be restrained, but it would be one of the most crying shames of modern industrial civilization if the laborer should not have an equal right to the use of this injunction when he is denied the right to work and live by such unfair means as the blacklist and lockout. Therefore, Honorable Judges, justice to the employer, to society, and to the laborer himself, demands that the injunction shall not be restricted as proposed by the affirmative.

SECOND NEGATIVE, R. J. WILSON, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: Our first speaker has pointed out the danger both to society and to labor in the proposed limitation of the injunction. He has shown you five specific and typical cases which could not be enjoined under the plan of the affirmative. He has further shown that in each one of these cases irreparable injury would result if the injunction were not issued. Now we shall carry the case a step further, and show that there is no adequate remedy at law in those five cases which are outside of the limitation proposed, and then we believe we shall have established a sufficient reason, yes, a vital necessity for not restricting the injunction in labor disputes merely to intimidation and acts of violence against physical property.

Our first speaker has shown how interference with the United States mails would cause irreparable injury. The

reason that statute law would not be effective is because it simply seeks to punish after an act has been committed and the loss incurred. Such a loss cannot be compensated by statute law, for it could not be estimated nor could it be collected from the labor unions, for few of them are financially responsible. Then statute law is too slow. By the time thousands of men were indicted and tried by juries, inestimable loss and injury will have resulted. Says the Supreme Court in the Debs case: "Interference, whether violent or not, with the transportation of the United States mails is sufficient for an injunction because of its subsequent irremediable damage." It is evident, then, that statute law is not adequate.

Certainly the test of any law is its ability to protect society under all conditions. The trouble with statute law is that it cannot act in an emergency. It cannot be set instantly in motion. When threat is made to paralyze the great railroad systems at a commercial center like Chicago, thereby tying up interstate commerce and injuring the innocent public, it is absolutely necessary that we have some measure to check adequately such disastrous action at once, before the irreparable damage occurs. This of course statute law cannot do, and here is where it fails in the second case.

In the abuse of the freedom of the press the case is different. A paper may print articles that are not libel, but under certain strained conditions of capital and labor the tension would increase and lead directly to violence, and consequent irreparable damage. The articles may be within the law, yet indirectly they keep



stirring up trouble and causing riots. Here again there is absolutely no remedy at law.

Nor can statute law adequately deal with the lockout or blacklist. The only recourse the poor laborer has against blacklisting is action at law, for the prosecution of which he has no funds. It is hopeless to fight a rich corporation, so he shuns the courts and the law is worse than useless to meet his needs. The same is true of the lockout. There is no law which prevents the employer from locking out his employees. This means has been used repeatedly to coerce labor, to force them to sign agreements not to strike, and even to accept lower wages and longer hours. It should be possible to enjoin such action on the part of the employer, or strictly speaking, labor has no redress under the common or statute law.

It is evident from the very nature of these five typical cases — interference with the United States mails, interstate commerce, freedom of the press, blacklist and the lockout — that the remedy at law is inadequate. Furthermore, in these five cases where an appeal was made to the Supreme Court, the use of the injunction was upheld because of the threatened irreparable injury, and the apparent inadequacy of the common law to handle the situation. Surely, then, since in these five typical cases, outside of the limitations of intimidation and acts of violence, the loss of the injunction will result in irreparable injury because of the inadequacy of the statute law we are justified in maintaining that the use of the injunction is an absolute necessity outside of the limit proposed by the affirmative.

But these five cases are not the only ones in labor disputes in which the gentlemen seek to prevent the use of the injunction. Scores of other situations may be cited. For example: The icemen in a large city wish to strike for higher wages during the hot, burning month of July, when the strike would be most effective. The result would be intolerable suffering by the sick in hospitals and death to hundreds of infants daily. Under these conditions should not society enjoin the strike and require other methods to adjust the wage scale? There may be no intimidation or acts of violence, yet the law could not prevent them from striking. But who would put the cause of higher wages above the cause of human life? It is certain that the affirmative cannot justify this great irreparable damage made possible by the restriction they propose.

Not only do the gentlemen propose a dangerous restriction, but they have not nor cannot show you a sufficient cause for such restriction. The opponents of the injunction argue that its use has been abused and upon this assertion they argue the necessity for restriction. But has the injunction been flagrantly abused? In the first place, injunctions are so seldom issued in labor disputes that there is but little opportunity for abuse. During the past ten years only twenty-six injunctions affecting labor have been issued in the federal courts, and it is in these courts that all of the larger cases appear. Twenty of these were issued during the first five years, and only six have been issued since 1908. Small chance for abuse in the federal courts. In the state



courts, take Massachusetts, for example: (L. B. 70, 1907): There were two thousand and two strikes during a period of ten years, from 1899 to 1909. In but nine of these cases were there proceedings or contempt of court, and only two convictions for such contempt following the violation of the injunction. Very little chance for abuse in the state courts. When, in 1908, the Judicial Committee of the House of Representatives asked Samuel Gompers to show specific cases of abuse, he searched the entire domain of injunctive action for a period of fifteen years, and was able to find but eighteen cases of what he termed abuse. Fifteen of these were restraining orders issued without notice, and this he called abuse! But in seven of these, labor never even opposed or complained of the order. In two the injunctions were dissolved, thus dealing justice to the laboring men's appeals. One was vacated for lack of jurisdiction. In every case but one, the restraining order was made permanent only after hearing and argument of both sides. This was the strongest case the union men could present to show their alleged abuse. Representative Townsend of Michigan said, after a searching investigation: "After looking over the history of this writ in the United States I have been unable to find a single case where it has been improperly issued." Surely the case of abuse falls down from lack of support.

One of the main reasons for this lack of abuse is the fact that every possible precaution is taken to prevent that very thing. Rule 73 of the equity instructions of the Supreme Court says, "A temporary restraining or-

der is to be used only in extraordinary occasions, and then not without hearing to both parties unless it shall clearly appear that irreparable and immediate damage will occur before the hearing can be held." No permanent injunction can be held without a hearing. Says Sec. 267 of the Judicial Code, "Injunctions shall not be issued where there is a plain and adequate remedy at law." Thus labor is given every opportunity to secure justice. If they think the writ is unjust they may appeal to the appellate court, which appeal will be given every preference. It is a noticeable fact that there has been but one reversal in all injunctive appeals to the appellate court. Furthermore, a bond is required from the parties seeking the writ. If the injunctions were illegal, the parties enjoined may seek damages which are to be taken from the bond. Finally, there is every opportunity to change the subject matter of the injunction by a bill of exceptions. Is it therefore not plainly evident that every possible precaution is taken to prevent the abuse of the injunction?

Now, Honorable Judges, we have shown you that there are a number of cases in labor disputes which do not involve intimidation or acts of violence yet which threaten irreparable injury, for which there is no adequate remedy at law. These cases absolutely demand the use of the injunction. We have shown that the possibility for abuse is very limited and that actual abuse has seldom occurred. In addition, every possible precaution is taken to prevent abuse. The gentlemen of the opposition then are proposing a remedy which is no



remedy, but which brings with it worse evils than it pretends to correct. They propose an unheard of and inefficient restriction of our courts of equity which can do nothing but endanger society and open the gateways leading to irreparable damage. Surely when we look at this question from the broad basis of the best interests of all of society and give due consideration to the established facts of the case, we can arrive at but one conclusion, that the use of injunctions in labor disputes should not be restricted solely to intimidation and acts of violence.

THIRD NEGATIVE, PAUL AMUNDSON, LAWRENCE COLLEGE

Honorable Judges, Worthy Opponents, Ladies and Gentlemen: I wish to call your attention again to the fact that the gentlemen of the affirmative have not shown you how the cases outside of intimidation and acts of violence can be adequately met by means other than by the use of the injunction. We have already shown you and we again maintain that there are cases outside the proposed limits where the use of the injunction is absolutely needed to prevent irreparable injury.

The gentlemen have suggested arbitration as a means of settling labor disputes. We are entirely in sympathy with such a policy. It is all right as far as it goes, but what do the gentlemen propose to do with the cases that arise when arbitration fails to settle the labor disputes? We have shown you that the only adequate remedy for such cases as interference with the United States mails and interstate commerce is the injunction. Such cases

are possible in any serious labor dispute and if arbitration should fail to settle the dispute, the injunction would be necessary.

The remedy proposed by the affirmative for the so-called abuse of the injunction is not only unnecessary and even dangerous, but it is entirely inadequate as a remedy to correct the alleged abuse.

In the first place, what are the abuses claimed by the opponents of the injunction? It is claimed that there have been delays in granting hearings, that temporary restraining orders have been issued without notice, and that blanket injunctions which designate not only particular persons but refer to any persons who may be involved have been issued. But under the proposed limits intimidation and acts of violence may be enjoined without notice, and there is that same opportunity for delay in hearings and these may be blanket injunctions. Hence, the proposed remedy will not correct these alleged abuses. In the second place, it is claimed that criminal acts are enjoined and punished by a judge instead of a jury. But the fact that acts have sometimes been enjoined which in themselves are crimes signifies not that they have been enjoined as crimes, but because they also are acts which threaten irreparable injury. Then, too, acts of intimidation and acts of violence which can still be enjoined under the proposed plan, may in themselves also be crimes, hence this abuse, if such it is, will still exist. In the third place, it is claimed that judges have abused their power by enjoining men from doing that which they have a legal right to do, such as



peacefully to assemble, peacefully persuade, and peacefully picket. But the proposed remedy does not correct this alleged evil. Just when these acts cease to become legal and take the form of intimidation must be left to the discretion of the judges. If the judge has abused his discretionary power in the past, the term intimidation, in the proposed limitation, still gives to the judge sufficient discretionary power to make great abuse possible. The term intimidation is merely a relative term. No hard and fast definition of it can be laid down. What constitutes intimidation in any case must be determined from that particular case and from all circumstances attending it. In the case of the Union Pacific Railway Company versus Ruef, Judge McPherson says, "Intimidation cannot be defined, it is impossible as well as impracticable for the court in advance to specify all the things and acts which shall or may constitute intimidation." A long line of court decisions shows that the word intimidation cannot be exactly defined. What constitutes intimidation, then, must be left to the discretion of the judge. Hence, the proposed restriction does not necessarily restrict and the proposed remedy is ineffective to do away with these abuses, if such they are.

If these are the real abuses, as the opponents of the injunction assert, why do not the gentlemen of the affirmative propose a remedy that will correct them? Most of these alleged abuses are complaints arising out of the method of procedure in injunction cases. Labor leaders have proposed many plans to prevent these so-called abuses, but the gentlemen's plan of restricting the use

of the injunction so that it can not be used in cases where it is needed to prevent great and irreparable injury is unique and has never before been proposed.

In the next place, justice to labor, to the employer, and to society demands that the injunction be not limited to intimidation and acts of violence.

Taking up the point of justice to labor, I wish again to refer to the two cases mentioned by our first speaker. The gentlemen of the opposition certainly will not defend the use of the blacklist and the lockout. But neither of these involves intimidation or acts of violence. Besides, in these cases irreparable injury is threatened to the laborer for which the laborer has no adequate remedy at law as has been demonstrated by our second speaker.

Then, again, a non-union man has a right to work without being molested by the union man. When picketing as a pretence for persuasion, as in the Allis-Chalmers case, interferes with this right, it becomes unlawful and should be enjoined. It is evident then that the use of the injunction in such cases, though they are outside of the proposed limits, is necessary to guarantee justice to all classes of labor.

Now it is undoubtedly true that capital has been favored rather than discriminated against. It is likewise true for the most part that employers are well able to guard themselves and their own interests. However, conditions of society have made it possible at times for labor to possess great power through organization. If, then, as an expression of this power organized labor seeks to gain its demand by harmful and destructive

methods, that will cause irreparable injury to the employer, justice to the employer demands that the injunction be applied even though the case is outside the proper limits.

Thus, in the case where interstate commerce is seriously interfered with and traffic tied up, a situation such as organized labor sought to bring about in the Debs case, great and irreparable injury may result to employers. Thousands of dollars worth of perishable goods in transit may be delayed so as to become worthless. Then, too, raw materials, machinery, and products needed in the operation of mills and factories all over the country are tied up, thereby causing irreparable injury to employers all over the country, to innocent employers not even parties to the labor dispute in question. This is certainly a great injustice to employers. Many such cases have arisen, and others may arise in the future, where an injunction is absolutely necessary.

Furthermore, the unrestricted use of the injunction in the cases we have mentioned is necessary to protect society's rights. Now, let us see how society is affected in a case where the transmission of the mails and the transportation of interstate commerce is interfered with. It is very evident how the delay of the mails may cause inconvenience and loss to the public. It is likewise clear that the continued and uninterrupted passage of interstate commerce is necessary to the fulfilling of contracts, to the operation of all forms of industry and to the supplying of absolute wants in all parts of the country.

In a society, a man has no absolute rights other than

those that society may grant him. In times of great disorder, for instance, even the writ of habeas corpus may be denied and a whole community put under martial law because the social welfare demands it. In times of war lives may be drafted into the service of society to protect that society. Hence, we cannot say that the right of life itself is an absolute right under all conditions. Likewise, in a labor dispute men have no absolute rights if the exercise of such rights will be detrimental to the best interests of society as a whole. No matter how just the cause of labor may be, organized labor cannot be permitted to threaten the welfare of society. In all such cases, then, when the interests of society are at stake, when irreparable injury is threatened to that society, society has need of and should be permitted to use the injunction writ.

Then, again, as society develops, as our industrial system becomes more complex, other situations may arise where the unrestricted use of the injunction may be needed to prevent irreparable injury that can not be adequately remedied by law. On this point, I wish to quote from Ex-Justice Brewer, one of the most able men who ever sat in the United States Supreme Court: "Government by injunction has been an object of easy denunciation. So far from restricting its power, there never was a time when its vigorous use was worth more to the nation or for the best interests of all. As population becomes more dense, as business interests multiply and crowd each other, the restraining power of a court of equity is of far greater importance than the punishing



power of a criminal law. To take away the equitable power of restraining wrong is a step backward toward barbarism rather than a step forward toward a higher civilization."

Honorable Judges, the proposed restriction is unnecessary, is dangerous, and is entirely inadequate to remedy a so-called abuse of injunctive power. The use of the injunction in labor disputes should not be limited to intimidation and acts of violence, but it should be applied in all cases we have mentioned and in any others that may arise, where its use is essential to insure justice to and to protect labor, employer, and society as a whole from irreparable injury where there is no adequate remedy at law.

FIRST NEGATIVE REBUTTAL, E. W. TIEGS, LAWRENCE COLLEGE

Honorable Judges, Worthy Opponents, and Friends: You have heard the gentlemen of the affirmative speak much of "one-sided, prejudiced judgments" in the case of our present judges. If these are so prevalent why have the gentlemen not cited specific cases as we have asked them to do? And then let them show how their limitation of the injunction will correct the alleged abuse. But this is what they do. They say, "Limit the injunction and the evils will be cured," not, however, because they have limited the injunction but because they are going to have arbitration. This is distinctly beside the question. They are clearly evading the issue, Honorable Judges, and can not hope to win their case. As far

as our judges are concerned it is a matter of common knowledge that on the whole they are very conscientious and fully appreciate their responsibilities. The fact that during a period of fifteen years labor leaders complained of only eighteen injunctions — think of it — eighteen in fifteen years — and that in all of these cases only one was modified by an appellate court, certainly shows a record to which we may point with pride. So frequent are the mistakes of our "prejudiced and one-sided" judges that during a period of fifteen years we can accuse them of one partial error! Certainly in no other branch of jurisprudence can we find so enviable a record.

The gentlemen accuse us of offering a device when we say that the injunction should be used against the blacklist and the lockout, because such a use is rarely met with. This argument is very inconsistent. Time was when judges now living never dreamed of issuing any injunctions in labor disputes, and yet you gentlemen now say that there are two sets of cases in which it should be issued. Here is the truth of the matter. As society has become more complex, labor has used the strike to enforce its demands. Capital, on the other hand, used the lockout. Labor developed the boycott, and capital retaliated with the blacklist. Both have their special instruments of warfare. Now, since strikes and boycotts have become inimical to the best interests of society, they are rightly checked by the use of the injunction. Is it not only just and reasonable that these same tools in the hands of capital, the lockout and the black-



list, should also be enjoined when they become a menace to society?

Here is the vital issue of this debate: the gentlemen contend that no injunction should be used outside of the proposed limits of intimidation and acts of violence. Then we need show but one reasonable case in which the injunction has and should be used outside of the proposed limits and their case falls hopelessly. Now we have shown not only one but half a dozen or more cases, each of which may be successful in causing irreparable injury without the use of either intimidation or violence. We have shown you that in the past the law courts have been unable repeatedly to handle situations. Now these cases are reasonable ones and may confront us in the future as in the past. We must have some way to meet them. The gentlemen have not and can not show that the law courts can meet this responsibility, and hence they cannot hope to establish their case.

SECOND NEGATIVE REBUTTAL, ROBERT J. WILSON, LAWRENCE COLLEGE

Mr. Chairman, Honorable Judges, Ladies and Gentlemen: The gentlemen of the opposition have utterly failed to meet the real issues of this debate. They have been endeavoring to befog the issues by covering up the weakness of their proposed system by a plea for the arbitration of all labor disputes. Honorable Judges, this question deals merely with the advisability of issuing injunctions in labor disputes. They argue for the settlement of the disputes between capital and labor by the

limitation of the injunction, and then recognizing its weakness fall back on the method of arbitration. Now we are not opposed to the arbitration of labor disputes, but what, we ask the gentlemen, will happen if arbitration fails to fulfil its duty? The merits of the arbitration method are a side issue in this debate.

We wish to call your attention to the fact that intimidation cannot be defined. Says People vs. Kolske: "What constitutes intimidation cannot be defined. All picketing may be done in such a manner as to constitute intimidation. Jeering and shouting at employees may constitute intimidation. Persuasion or entreaty may be so persistent as to constitute intimidation." The Encyclopedia of Law says, page 534, 831, "What constitutes intimidation must be left to the discretion of the Judge. It can be defined only in reference to the situation." (Un. Pac. Ry. vs. Ruef.) "No definition can be laid down as to just what constitutes intimidation."

Let us analyze the character of abuse presented by the affirmative. In order to win their case, the gentlemen must not only clearly establish that the use of the injunction has been abused, but show that their remedy corrects those abuses. The negative maintains that the mere citation of words and phrases picked at random from an injunction does not in itself constitute proof of the abuse of the injunction. In order to show abuse, the affirmative must show the results of the injunctions and just wherein labor has been abused. In some cases, picketing, persuasion, and even assembling should be enjoined, when the occasion calls for it. For example,



says Fed. 155 in the Allis-Chalmers vs. Iron Moulders' Union, "Peaceful picketing is very much of an illusion, yet it is at least theoretically possible, and entirely lawful. But when picketing develops as it generally does into strong, persistent, and organized persuasion and social pressure of every description, then we have a condition condemned by the injunction." Thus these terms may appear in an injunction, and if considered apart from the circumstances would appear to be unjust, but when taken in reference to the situation, are not only just but necessary. But peaceful picketing, assembling and persuasion as such have never been enjoined by courts of equity.

Now, Honorable Judges, we do not say that all injunctions issued by courts have been an absolutism of perfection. Judges are only human and are liable to err. In the very early history of the injunction there may have been cases where the judge abused his power but the affirmative have not and cannot show us cases of recent abuse, nor show where labor has suffered and has cause to complain. It is certain that the mere citation of a few cases of abuse which occurred a number of years ago, will not justify this scheme of the affirmative which we have shown would not only fail to remedy this abuse if it did exist, but cause injury and irreparable loss to society.

The gentlemen of the affirmative have endeavored to establish that the trial by jury is denied in contempt proceedings. However, the power of the courts to punish for contempt is inherent in the courts and is essential to the execution of this power. It is a part of the

law of the land within the meaning of the Magna Charta and the twelve articles of our declaration of rights. (Supreme Court, Vol. 15, also Mass. 23,331.) The power to imprison for contempt, from the earliest history of jurisprudence has been a necessary attribute of a court without which it could no more exist than without a judge. A court without the power to enforce its decrees or protect itself against the lawless is a disgrace to the age which invented it. The Supreme Court has sustained that contempt cases do not violate trial by jury. Mr. Debs, who was directing the strike which was tying up interstate commerce, was arrested, fined and imprisoned for refusing to obey this injunction. Debs claimed right of trial by jury. On appeal the Supreme Court affirmed the right of the lower court to grant an order enjoining any person from interfering with interstate commerce over natural and artificial highways, and held that imprisonment for contempt of court did not violate the principle of due process of law.

The opposition assume that our judiciary is composed of corporation lawyers with one sole purpose in life, and that is to abuse the working men of America. And in the same breath the gentlemen give assurance of their respect and admiration of the same judiciary. This one man power which they complain of will not be obviated under their proposed plan, for the judge is still given large discretionary powers.

They cite authorities for their plan. If Mr. Roosevelt and Mr. Taft are so much in favor of restricting the use of the injunction, is it not strange that they did not



discover the fact until they wanted to run for office, and then wished to secure the vote of labor?

Honorable Judges, the very fact that there are a number of cases in labor disputes outside of the limits proposed by the affirmative, which absolutely demand the use of the injunction, is of itself sufficient cause to reject this scheme of the affirmative. But we do not rest our case upon that alone. We have shown that this so-called abuse of the affirmative will not warrant the proposed restriction, and if any abuse did exist, that their remedy is inefficient, inadequate and could not possibly correct the alleged evils. All judicial opinion declares that the term intimidation can be defined only in reference to a given situation, and, therefore, the remedy they propose does not necessarily restrict to a sufficient extent to correct their alleged abuse. Since they can show no cause for restriction, and since their limitation is ineffective and positively dangerous to society and labor, we maintain that the injunction should not be restricted as proposed.

THIRD NEGATIVE REBUTTAL, PAUL AMUNDSON, LAWRENCE COLLEGE

Mr. Chairman, Ladies and Gentlemen: The gentlemen have quoted Ex-President Roosevelt as having stated in a message to Congress that the use of the injunction was being abused. But remember that Roosevelt did not accompany this statement with a single concrete case of abuse. Later, upon being asked to cite the specific cases referred to, Ex-President Roosevelt was unable to

do so; his Attorney General, Bonaparte, was likewise unable to furnish any such information. Honorable Judges, political purposes often cause politicians and party leaders to make statements which can not be substantiated by facts.

The gentlemen contend that the proposed restriction will be beneficial to labor. We have shown that it is opposed to the best interests of labor. The use of the injunction outside of the proposed limits is needed to protect all classes of labor in cases of blacklisting and lockout. It is likewise needed to protect the non-union laborer against the unfair methods used against him by union men.

The gentlemen contend that our arguments must conform to their case. Of course, the affirmative has the privilege of setting up their own case. But, on the other hand, it must not be forgotten that that case must conform to the question.

The affirmative contend that cases outside of intimidation and acts of violence are covered by statute law. So are intimidation and acts of violence. But because of its inelasticity and tardiness the statute law is as inadequate to prevent irreparable injury in the cases we have mentioned outside the limits, as is true of the statutes in cases of intimidation and acts of violence against physical property.

The gentlemen have spent a great deal of time advocating arbitration. But what are we going to do when arbitration fails? I repeat it, if arbitration is used and does not prove effective, the dispute will continue and



conditions may arise where there will be no intimidation or acts of violence used but where irreparable injury is threatened, and the use of the injunction will be needed and should be applied.

The gentlemen have not yet defined the term intimidation. We have shown you clearly that the word intimidation can not be defined and that the proposed restriction does not necessarily restrict.

The gentlemen of the affirmative made the startling admission that the injunction should be issued in blacklisting cases and yet they are advocating a restriction of the injunction which would absolutely prevent its use in such cases.

The gentlemen have told you repeatedly that our judges are not competent. Then how can the opposition with consistency advocate the issuance of injunction by our judges in cases of intimidation and acts of violence? Would not the incompetency of our judges prevent their successful handling of such cases, too?

Let me briefly analyze this question once more. At first glance the proposed restriction seems to include about everything that should be enjoined in a labor dispute. But a more careful study of the question shows that it does not. If it did there would be no debate. The very purpose of the question as revealed in the wording is to restrict the powers of judges in equity. It follows logically, then, that there are cases outside the proposed limits. It also follows that, for every case outside the proposed limits, the affirmative, in order to uphold justice to society, must show an adequate remedy at

law which will prevent immediate and irreparable injury. This, we maintain, they have wholly failed to do. Not only have they failed in this respect but we have shown you six typical cases that are not only outside the proposed limits but we have shown in each case just how and why the statute and common law was inadequate to prevent irreparable injury, and we maintain that the affirmative has failed to refute our contentions successfully. Now we do not maintain that every trivial case arising under the typical examples we have shown should be enjoined. The negative stand is this: that cases have arisen and may arise where there will be no intimidation or act of violence, but where the use of the injunction is absolutely necessary to prevent irreparable injury, and that under such conditions it would be a crime against society to take away the restraining power of a court of equity. Now if there were but one case outside the proposed limits where inestimable loss could be inflicted upon society, as in the blocking of interstate commerce, that in itself would be sufficient reason for not limiting the use of the injunction as proposed. But we have shown not one, but six such cases and have suggested a great many more. And as industrial conditions become more complex who can tell what new conditions may arise where such a preventive as the injunction writ might be worth many volumes of statute law?

Now while these cases outside the limits proposed are in themselves sufficient reason for not so limiting the injunction, we have not depended wholly upon them to establish our case. We have also demonstrated with



concrete evidence that the need for restriction of the injunction is based largely upon imaginary abuse, loudly proclaimed by politicians and labor leaders seeking to gain their ends by any method, no matter how destructive these methods may be to society as a whole. Furthermore, we have shown that the principal abuse of the injunction writ as set forth by its opponents cannot possibly be corrected by the restriction, that the affirmative remedy fails entirely as a remedy because of the discretionary power still left with the judges in determining the interpretation of intimidation in every case.

While the gentlemen may be sincere in their desire to aid the cause of labor their scheme has the vital defect of injuring both labor itself and society as a whole. While the proposed plan might bring some temporary relief to a few, is it good statesmanship to adopt a policy which might bring permanent injury and great suffering to the vast majority? Such a course would certainly be unwarranted. Therefore, we of the negative maintain that the injunction in labor disputes should not be limited to intimidation and acts of violence against physical property.

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SIX YEAR TERM FOR PRESIDENT OF THE UNITED STATES

SIX YEAR TERM FOR PRESIDENT OF THE UNITED STATES

TEXAS UNIVERSITY vs. *UNIVERSITIES OF ARKANSAS AND LOUISIANA*

In 1914 the University of Texas met Arkansas and Louisiana in the pentangular league of the southern state universities. The Arkansas Negative team was defeated at Austin, Texas, by a two to one decision, and the Louisiana Affirmative team was defeated by a unanimous decision at Baton Rouge, Louisiana. Two men teams are the custom in these debates as in the Johns Hopkins-Virginia-North Carolina league whose 1914 contests are given in the first pages of this volume.

The question discussed, "Resolved, that the president of the United States should be elected for a term of six years and be ineligible for re-election," was made a part of the Democratic platform in 1912. Bills have been introduced into Congress providing for an amendment to the United States Constitution which will bring about this change, and the question will no doubt become more important in the next two years. These debates are a calm discussion of the much mooted third term question so prominent in the last presidential campaign.

The speeches were contributed in behalf of the debaters by Mr. E. D. Shurter, Professor of Public Speaking at the University of Texas.

SIX YEAR TERM FOR PRESIDENT OF THE UNITED STATES

TEXAS UNIVERSITY vs. *UNIVERSITY OF ARKANSAS*

FIRST AFFIRMATIVE, ROBERT F. HIGGINS, TEXAS UNIVERSITY

Ladies and Gentlemen: At the outset of this discussion this evening it should be understood that this proposition is neither theoretical nor novel. It is a question of present, practical importance and one that barely escaped becoming a part of our federal constitution. The deliberate sentiment of the Convention of 1787 reflected itself in a proposal that congress should elect the president for a single term of seven years. The friends of popular election in the closing days of the convention submitted the electoral college as a compromise. With no time for reflection the convention was captivated by this novel device which seemed to preclude all possibility of dangers incident to the re-election of a president. But with the advent of political parties the influence of the electoral college as an organ of government became a nullity, and hence the only reason which prevented the adoption of the single term principle thereby disappeared. From that day till this many have been those



who have realized our mistake. Presidents, leading statesmen, political parties have advocated the change. The Southern Confederacy, though following in general our federal constitution, forbade the re-election of her president. But only the most glaring abuses can awake a nation to the necessity of a change in her fundamental law. Those abuses came during the administrations of Roosevelt and Taft. Thereupon the single term became a principle of the Democratic party and passed the senate of the United States.

You will remember that the danger which our forefathers sought to prevent was that of continuous re-elections. With this danger they were familiar, though as yet they had had no vision of party government with its attendant abuses. Now, if it should appear from the discussion this evening that the danger sought to be eliminated by our forefathers still exists, that in addition thereto there have arisen other fundamental abuses incident to the re-election of a president, and that these abuses cannot be otherwise remedied, you must concede the desirability of the plan we offer.

Those who oppose this measure deny that the danger originally anticipated still exists. They contend that the strength of the third term tradition is sufficient to ward off any dangers from those quarters. In support of this contention they cite the two failures of Grant to secure a third term and the House resolution of 1875 affirming the two-term precedent. These incidents, they tell us, have firmly entrenched the unwritten law against the third term upon the American people. As evidence of

this fact we are reminded of Roosevelt's failure in 1912. Upon this analysis we are constrained to differ with the opponents of this measure.

Notwithstanding Grant's failure in 1875 and the House resolution of that year, we find him again a strong contender for that exalted office in 1880. The nation is to be congratulated that the precedent was again affirmed in that year. Surely, if tradition alone is strong enough to withstand that danger these incidents would have forever settled that question. But you remember that the very next attempt to override that tradition failed only because the will of the Republican party was thwarted in the convention of 1912. Had Roosevelt been the nominee of that convention, as was clearly the sentiment of his party, the popular vote indicates that he would have been, to-day, president of the United States. And I remind you that in the election of 1912 the third term tradition did not contribute to his defeat.

That this tradition, limiting a president's tenure, is wise has never been questioned. And yet is it not clear that further reliance upon it alone is unsafe? It is against the dominating and ambitious personality that we must provide, and, as to such, a mere tradition is of no avail. This was the danger which our forefathers feared and which would have prompted them to adopt the single term principle had they not believed that the electoral college would have precluded such a possibility This danger alone was sufficient to convince them of the desirability of this measure, but to-day abuses of which our forefathers never dreamed argue even more forcibly

for the plan we offer this evening. In this connection your attention is first called to those abuses of the present system which hamper the president and destroy his freedom of action with respect to his official duties.

In the first place, he is compelled personally to participate in the campaign for his re-election. During this time the nation loses his services. His absence creates a hiatus in the whole governmental machinery at the nation's capital. The dignity of his office is dragged in the mire of a partisan strife. The confidence of the people in him is impaired, a deplorable situation. But do not blame the president for that which he could not avoid. Consider the circumstances which drag him into this campaign and you can appreciate his helplessness. Defeat for re-election means political disgrace. It means the branding of his public service a failure. To that end are directed the efforts of the party out of power. The administration is attacked from every conceivable standpoint. Every political mistake, however honest, is magnified. Every failure to meet the people's highest expectations, however unavoidable, is used to cry him down. And even the character of the president is the subject of partisan tirades. Blame him for that which you would do under those circumstances? A president's sense of honor as well as the necessity of refuting these accusations against his administration force him to enter the campaign against his will.

Again, the president, through fear of defeat, is compelled to play politics with every class whose influence is weighty in a presidential election. Take, for instance,

the foreign voters of New York. If this element is against a president, he cannot expect to carry the Empire State, and where goes New York so goes the nation. Notwithstanding the fact that the immigration problem is one of the most weighty before the nation to-day, inasmuch as any solution of this problem must necessarily offend this element, we place the president in a position where he must choose between sacrificing all hopes of re-election and a policy of "hands off." He very naturally chooses the latter. Though the literacy test for immigrants passed Congress overwhelmingly after it had been almost unanimously recommended by a special commission after years of study, it received the veto of President Taft. Then in the last days of Congress of the same administration, the Democratic House reversed itself and shelved the immigration bill for fear of offending the naturalized voters of New York. Then in the first Congress under President Wilson the measure again comes up, and when the president communicates his opposition, there are threats to pass it over his veto. A portion of the press has already accused the president of facing about on this question. We do not countenance such a suggestion, but firmly believe the president's motives are pure. Yet the fact remains that the danger is ever present, and though we cannot question the sincerity of Mr. Wilson, such accusations inevitably tend to impair the people's confidence in him and to cripple his usefulness to the nation.

In the third place, the fear of defeat causes the president to deal gently with the trusts. So powerful is the



influence of these combinations in a presidential election that it is futile to deny that the chief executive would lose his independence in his dealings with them. The influence exerted and the resulting favoritism is for the most part an unconscious bargain, a gentleman's agreement, but recent investigations have uncovered some convincing examples of what is going on behind the scenes. Mr. Roosevelt refused to prosecute the Harvester trust. As a sequence, Mr. Perkins, a large stockholder and later president, became his financier in his campaign for re-election. Mr. Harriman raised a campaign fund of $250,000 for Roosevelt in 1904. Immediately suits against Harriman's companies were dismissed. Mr. Taft, through the Department of Justice and circuit judges, conferred with lawyers of the Tobacco trust. Reorganization was effected on terms very satisfactory to the trusts, very unsatisfactory to the people. Roosevelt's favoritism to other trusts, Taft's friendly attitude, and trust campaign contributions in recent years have unquestionably established a compact on the part of our federal government with these business combinations. Under the protecting wing of the chief executive, they have been free from prosecution for their illegal combinations, they have been sheltered by an abominable tariff, they have gone unmolested by any legislation seriously designed to prevent them from crushing out competition or robbing the consumer, and have become so powerful as to defy the government itself.

You can readily understand why the president yields

to these weighty influences when you consider the circumstances under which he labors. Every president who has been re-elected in the eyes of the public is great. Every president who has failed to receive a second term in the public eye has sunk into oblivion. No one realizes so much as the president himself that failure to attain his re-election means political disgrace and the branding of his public service a failure. You have no cause to wonder, then, that a man so situated will neglect public duties to campaign for his own re-election, that he will pursue a passive policy towards such elements as the immigrants in the East, though they constitute a most serious problem in this nation, that he will show favoritism to the big interests in various ways, though such favoritism has given rise to economic problems of the gravest nature. A leading statesman says: "It is expecting too much of frail human nature to think that a man in such a position can escape the pressure, even though the victim is unconscious of it, exerted by those who are supposed to be in a position where they can give or withhold presidential nominations and elections."

The same irresistible pressure exists with reference to federal patronage. Renomination must come before re-election. Failure to receive the party endorsement for a second term is a greater stigma upon one's administration than defeat after renomination is secured. Then place yourself in the same position and you can appreciate what is said of Taft, the fear that he might not be renominated affected him like creeping paralysis. Now consider the fact that the most powerful influence

in securing that renomination is the support of the party bosses and their lieutenants, that the only way that support can be obtained is by honoring them with federal jobs, that you may pursue this policy and still be within the precedents and the presidential ethics. He would indeed be an unusual president who failed to respond to such an opportunity. And yet from these simple facts flow two deplorable evils in our present system.

In the first place it enables a president to force his renomination upon an unwilling party. These appointees are his political lieutenants. They are the party bosses in their respective localities, and as such dominate the local conventions. To illustrate their influence take the campaign of 1912. The federal officeholders of the South captured the Southern delegations. Their influence in the North was sufficient to override popular sentiment enough, at least, to send a contested delegation which was upheld by the Taft machine in the convention. You know the result. A president of the United States forced his renomination upon an unwilling party, though every Republican primary save one repudiated his candidacy.

The second deplorable circumstance is the consequent corruption, incompetency, and neglect of duty on the part of the appointees themselves. Illustrative of this abuse President Cleveland tells us that postoffices were made headquarters for the party committees; that literature of the administration was distributed through the mails as an item of party service; that literature addressed to men of the opposite party was withheld; and

that the official incumbents neglected public duty to do political work. Ladies and gentlemen, the 10,000 appointees of the president represent the federal government as marshals, district attorneys, judges, and, in fact, in every important activity of that government. If these officials are recreant to their duty, if they are incompetent and unfit, if they are mere tools of a single man, the very foundation of good government itself is shaken. But can you expect any more of men appointed purely on a partisan basis for their political leadership, men to whom the re-election of the president is a simple bread and butter question? Why, they are forced by the law of necessity to waive their public duties on the eve of a presidential election and expend their energies in the roping and tying of delegates for the coming presidential bout. And still the gentlemen from Arkansas will tell you that the system is satisfactory.

Ladies and gentlemen, the president of the United States is one of the most powerful personages on earth to-day. Unquestionably, then, our public welfare demands that this official be freed from any temptation to abuse those great powers. Does our present system measure up to that standard? It leaves open the danger of indefinite re-elections. It forces the president into a campaign against his will and to the neglect of his official duties. It causes him to pursue a passive policy towards such elements as the immigrants in the East, though they constitute one of our greatest problems. It obligates him to the big interests, thrusting upon the people every important economic problem with which we are wrestling



to-day. It enables him to force his renomination upon an unwilling party. It leads to incompetency and neglect of duty in every important activity of the federal government.

SECOND AFFIRMATIVE, T. V. SMITH, TEXAS UNIVERSITY

Ladies and Gentlemen: It is generally believed in Texas that self-preservation is the first law of nature. I hope the gentlemen from Arkansas will be so mindful of the Texas spirit as not to deny this dogma. We believe, too, that our national presidents are men of such integrity that they had rather do right than wrong. Let us hope that patriotism will deter the negative from denying this altruistic view. We believe, furthermore, that any man who knows this nation's marvelous past and believes in the genius of its people ought not to think that any of its present evils are irremediable.

It occurs to us, therefore, ladies and gentlemen, that there must be some remedy for the evils of our presidential system. Believing that our presidents prefer to do right, we cannot but think that the many evils connected with the office are due, not to baseness, but to their humanness. For we have not yet had a president who could in action disregard the laws of mind or disdain that first principle of nature which does pervade the whole province of life. Only martyrs can choose when self-preservation is the issue; and most of them have not survived.

And yet this issue every president must face at the end of his first term. Grant called his second election

his vindication. This view the whole nation has so accepted that the president well knows that he had better never have been elected than fail to be re-elected. His defeat, whether deserved or not, is a mark which nullifies his past and stigmatizes his future. From a political view-point, a part of him lives but most of him dies. And, since he is a man with the instincts of his race, he is not going to die if he can help it. You yourself, when you remember your common humanity, dare not incriminate him for submission to party bosses, for dispensing federal patronage to his own advantage, and even for making a gentleman's bargain with the big interests, for his political life is at stake. No wonder that presidents themselves have cried out against a system that forces them on pains of disgrace to effect their re-election at any cost.

Agreeing with such presidents as Jackson, Harrison, Taft, we of the affirmative submit that ineligibility is the only available remedy for these many concentric defects. Briefly, now, I shall apply it to the cardinal defects in the present system. First, the dangers of continuous succession. Do you say that it is slight? I reply — it exists, nevertheless. Do you say that public opinion is against it? I reply if precedent makes it slight and public opinion renders it improbable, then positive law would make it impossible. If, as millions of American citizens think, it is a danger worthy of consideration, why not forestall it while we can? Public opinion is good, but assurance is never so assuring as when written in a nation's fundamental law. This evil our forefathers



feared most of all. This evil persists even to our day. Yet the gentlemen from Arkansas have no remedy for it.

The extreme partisan character of our presidents is worthy of mention next. Every man knows that if, by some means, our president could be made more nearly chief of the whole nation rather than leader of a party, the system would be improved. This ideal can never be approximated under the present plan. For the president is forced to seek re-election; and he must submit to party bosses to get even his nomination. This evil will be reduced to a minimum by the plan we are advocating. For, hoping for no re-election, the president could with impunity defy the power of the bosses if their demands conflicted with the people's needs. He would simply be freed from their domination. This freedom would mean much, but the gentlemen from Arkansas have no plan to effect it.

Of graver concern than either of these evils, is the influence of the big interests upon the president. That such influence exists is undeniable; and that it is adverse to the people, the people know all too well. The president prefers to do right. But when loyalty to the people would most likely mean political death, whereas only a slight deviation from duty to favor a corporation would surely mean re-election with a chance to correct the wrong done in accepting the offer, then he feels the meaning of nature's first law. Ineligibility would surely change this condition. But it may be objected that if the interests cannot win the president with promises of re-election, they will bribe him with money. Again I

stake the issue upon the integrity of our presidents. This integrity demands that they be not swerved from duty by anything less than self-preservation. This principle includes re-election, it excludes money. Moreover, the history of the presidency shows this position to be sound. For not one of our presidents has ever been accused of baseness for gold; yet what one has not been accused of dishonesty for re-election? This contention agrees with human nature. Cicero affirms nature to be too weak to spurn power. Cæsar treasured the motto, "Baseness for nothing save power." Love of power is the common deduction of biography and history, of fact and fiction. Indeed, the final and fatal test of human probity is to see, from the mountain top, the kingdoms of the world and the glory of them, and to hear the sweetest offer of men or demons, "All these will I give thee if —"

It has, however, remained for the American republic innocently to install and obstinately to practice a plan by which is added to man's innate weakness for power his unquenchable determination to survive. This irresistible combination is found in the re-election of our presidents. To those in the audience who are thinking that this improper influence will be just as formidable in the first election as in the second, let me suggest that there is a significant difference between the two. In the first election, the candidate has nothing to lose but the office, which as yet he has held only in hope. The severest penalty of his defeat is only disappointment. In the second election, the candidate can lose the office



which he has held, which he holds, and which he hopes to hold; nor is this half that he has at stake. In fact, the lightest penalty of his defeat is loss of power, loss of reputation, and loss of political life. He absolutely cannot afford to lose. And yet at this psychological moment the system leaves him to the trusts and expects him to remain uncontaminated. People of Texas, can it be possible that these gentlemen have come all the way from Arkansas to oppose a plan which will destroy this irresistible, quadrennial temptation, and yet have brought nothing even to lessen the evil? I fear that it is true.

The present plan, as my colleague made plain, invests the president with a system of patronage which permeates the whole nation and reaches even into other lands. More than that, it forces him, at the pains of political death, to use it for his own ends. I need not comment upon its existence. But gladly do I undertake to say that ineligibility will substitute for the present abuse of federal patronage its proper use. The uniform success of an administration demands the hearty cooperation of all its parts. The work of even the appointed postmaster is not without its influence in determining the success or failure of the president's efforts. For the postmaster is the only part of the administration that many people see. In the face of such interdependence, it is evident that the president, under a single term, will not only do his best, but will also be solicitous about his whole system making the best possible showing. He would naturally frown upon anything which would detract from the efficiency of his appointees. For he

knows that the final estimate of his administration must rest upon the efficiency of his whole system; no second term, either, to correct mistakes. Nor will he, as some say, misuse patronage for his successor's re-election. For we must remember that, since self-preservation is the prime law of life, his one absorbing passion will be to do himself justice during his own term, his only term. To this he will naturally bend the primary energies of himself and his appointees. What help he can give his successor for the party's future success, will naturally be after he has done everything he can for the party's present success. Such help will be legitimate since it will be in addition to duty rather than instead of duty. It is the abuse of patronage, not its proper use, which has so aroused the nation.

For this single evil of federal patronage, the gentlemen from Arkansas offer two remedies — civil service reform and preferential primaries. It will be well to remember, ladies and gentlemen, that these two corrective measures are proposed for but one of the many evils of the present plan. And, unfortunately for the opposition, they are not adequate to correct even this one. The civil service reform, while good as far as it goes, is so limited in its province that it can never work out the needed change. It can apply only to those appointees of purely clerical or technical duties. So outside of its province there is a large army of appointees. In fact, it seems that the number of federal appointees of 1912 cannot be materially reduced; and yet that was a star year for excessive abuse of federal patronage. It



seems, therefore, against reason to expect relief from that quarter.

The preferential primary, though perhaps good in itself, can hardly correct the abuses of federal patronage under the present system. It will but change the base of operation from the connection back to the people. And so it will more urgently call the president into the campaign field and his appointees away from their duties to work for his interest. Admitting all that is claimed for it, ineligibility must obtain to make it most effective. Our objection to their corrective measures is not that they are bad, but inadequate. We think that ineligibility will correct the evils which their proposals do not touch. And if it should not, as we think, correct the evils of patronage, we have yet civil service reform and the preferential primary as auxiliaries to our plan. So to our fundamental or general remedy we would simply annex theirs as auxiliaries for what they are worth. For nothing they propose is incompatible with the single term idea. The principle of ineligibility established, and by common consent the term becomes six years instead of four. The National Business League demands six years, ex-presidents favor such a tenure, political parties indorse it, and, in fact, all circumstances conspire to indicate six years as the logical and satisfactory length of term.

Finally, sirs, the single term idea does not destroy, as some think, the incentive for conscientious service. Human nature is such that the president needs the removal of the second term temptation to insure best results for

the first term. He expects reward, of course, but, as a great man, he works and looks to the future for his approbation. In the words of Ex-President Taft, "I hoped that time and history would show me to have been right and the future public opinion would sustain me." In fact, ladies and gentlemen, I am bold to say that a single term will substitute a more wholesome incentive for conscientious service than the one it removes. For it will point the president to the unbiased decision of future years for his vindication rather than to the fickle indorsement of the populace at an exciting election.

TEXAS UNIVERSITY vs. *UNIVERSITY OF* LOUISIANA

FIRST NEGATIVE, EUGENE H. CAVIN, TEXAS UNIVERSITY

Mr. Chairman, Ladies and Gentlemen: In the discussion this evening, the opposition assumes the attitude that there are certain defects in our presidential system; that these defects are due to the fact that our presidents hold office for a term of four years and are eligible to re-election; and that such defects will be remedied by giving the president a six-year term of office, and by making him ineligible to hold office again.

So the opposition proposes to cure the defects which they allege in the present system, by the adoption of a single six-year term. Now, of course, before they can ask that their proposition be seriously considered, they must show: first, that the faults of which they complain



in the present system are due to the fact that our presidents hold office for a term of four years and are eligible to re-election, since these are the only features which they propose to alter; second, that their plan will actually remedy these faults; and, third, that their plan will not introduce other and greater evils than those which it is proposed to eradicate.

The gentleman who has just taken his seat has devoted considerable time and attention to showing that certain evils do exist in the present system. We recognize the fact that the present system has its defects. What system has not? We agree that these defects should be as far as possible cured; but we do not agree that our system is a failure. You cannot point to a single instance where the present plan has resulted in the re-election of a bad president. We object to the single six-year term, because there is not a single evil in the present plan which does not also exist in the six-year plan; nor is that all; the six-year plan, furthermore, embodies other evils many times greater than any which now exist.

We come, then, to the negative's position. We insist that the proposed single six-year term will introduce other and greater evils than the present ones, first, because it makes the president less efficient by placing a ban on experience. In every other field of human activity, in all of the affairs of men, experience is a recommendation. Yet what is it that the opposition would propose? Why, they propose that if a man be placed in office, if he prove himself most worthy of that trust,

and most able to discharge it, he must be forever barred from holding that office again in order that his place may be taken by one untrained in the school of experience, and untried in the affairs of state. And where, I ask you, is the logic of a plan whereby we are compelled to deprive ourselves of the services of men who have proved their worth, in order to put into office men whose worth is an unknown, it may be a negative quantity? We propose to give the president a term of four years which is long enough for him to demonstrate his ability or lack of it. If he proves efficient we propose to give him a second term. If he is incompetent, we propose to remove him. But our opponents propose that no matter how efficient he may be, though he has demonstrated that he is the one best qualified to hold the office, he shall be rewarded by being forever disqualified to hold that office again, and the interests of the people shall be trodden upon by depriving them of the leadership of the one who has shown himself to be their best qualified leader, in order to accept one of secondary qualifications. And this is the plan which the opposition asks you to consider seriously.

Secondly, we insist that the president should not be made ineligible to hold office a second time, because the hope of re-election, embodying as it does the principle of the recall, is a popular check upon the president, the value of which can scarcely be over-estimated. Granting that the chief executive magistrate of the nation might be tempted to misuse the powers of his exalted office to secure renomination, still be reminded that he

must constantly bear in mind the fact that if he does anything radically wrong, if he displeases the people, he cannot hope for re-election. I call your attention to the fact that while it is true that in order for a president to succeed himself to office his renomination must precede his re-election, it is equally true that his re-election must follow his renomination. The theory of the opposition is that by making the president ineligible to re-election they will relieve him of the necessity of catering to the controlling interests in order to secure renomination. They lose sight of the fact that in doing this they will also relieve him of the necessity of serving his people well in order to secure re-election at their hands. Thus they would remove from the president the last check which the people now hold upon him to make him keep faith with them. But would they remove from him the insidious temptations which the great special interests would keep constantly before him? Is renomination the only inducement which they have to offer to one who would accept their offers? No. If the six-year plan be adopted the last check of the people over the president is gone, but the temptations of the office remain. And we say that these temptations are too many and too great for it to be a safe plan to remove the only safeguard which now stands between the tendency of a weak man to lean towards the interests of a few who have attractive inducements to offer, and the welfare of the whole nation and the good of the whole people, upon whom the president must now depend for his re-election.

Thirdly, we object to the six-year plan, because every

evil which exists to-day is also present in that plan. The abuses in the present system, of which the opposition complains, are those which the gentlemen allege are due to the hope of re-election. Chief among these is federal patronage. Suppose you did limit the president to a single term in order to prevent his giving patronage in return for renomination. Have you done anything to prevent his giving his promise of patronage to secure his original nomination? No. And that is exactly what it will be necessary for him to do. Furthermore, under our party system he would be bound to work for his party's candidate. As long as he has patronage to distribute he is bound to look to his party's interests. The result is that he will use patronage to secure the nomination of his successor, and if you deny it, I call your attention to the fact that that is the very thing which was done by Jackson in supporting Van Buren as his successor, and by Roosevelt in supporting Taft to succeed him.

And, fourthly, we contend that there is another cause of patronage being given by the president in return for support. Did you ever stop to think that the president is not pledged to refrain from this practice? When the president takes his office he takes an oath to support the Constitution. When the Governor of Texas takes his office he takes an oath to support the Constitution, and also that he has not given nor promised to give any office or thing of value in return for support. Make this addition to the constitutional oath of the president. If he keeps it, the abuses of which the opposition complain

will vanish, and I say to you that if a president of the United States took this oath, his integrity would compel him to keep it.

Fifth, the friends of the six-year plan maintain that because the president is now eligible for indefinite re-election, there is danger of a dictatorship being established. We answer that history shows the contrary. Only three times have presidents tried to succeed themselves for a third term. In each of these cases they have failed. The House of Representatives long ago adopted a resolution declaring it to be an unwritten rule which should not be broken that no president should hold office for a third term. So the bogie of a dictatorship, though beautiful in theory, is without foundation in fact.

And, sixth, we would ask the opposition to note a fact which they must have overlooked, namely, that the very logic upon which the single six-year term is based, causes the plan to condemn itself. The theory of the single term is that our national convention which nominates the president is controlled by special interests; that the president to be renominated must cater to these controlling interests, by the use of federal patronage, by friendly policies of administration, etc.; and that by refusing to allow the president to be nominated for a second term the control over the office of these interests which dominate the convention will be removed. The opposition now finds itself between the horns of this embarrassing dilemma. Either these interests do control the national convention, or they do not. If they do not,

then the gentlemen of the opposition have no case, for their very cause of action has failed. On the other hand, if these interests do dominate the convention, and we adopt the single term plan, do you think that these interests will put a candidate who is hostile to them into office for a single term, any more than they would for a second term? No. They will give the nomination to a man over whom they have control; on whom they have enough "wires" to keep that control. We see nothing but charity to prevent their doing this, and such noble self-sacrifice on the part of the moneyed interests of this country is a contingent possibility upon which we would be extremely reluctant to depend. To the opposition we now present the alternatives of this dilemma. If they take the one, they find that their plan is unnecessary. If they take the other, they find that it is worse than undesirable. One or the other they must take. The selection rests with them.

And, seventh, we object to the six-year plan because of the deadlocks it will cause in our national government. An example to which my colleague and myself will both invite the gentlemen's careful attention, is the end of the Taft administration. The president was out of harmony with the people. We had a Democratic congress and a Republican president. The result was a deadlock. Legislation was blocked. The wheels of government stood still. But what did we do? Why, we elected a Democratic president, made the two departments of government harmonious, and as a result we are progressing as never before.

But if the six-year plan had been in operation, what then? Why, it would have been necessary to continue that president in office for two years longer. For two long years we would have been forced to maintain a deadlock in the government. For two long years we would have had to block the legislative department against the executive. Nor is that all. This has been the case fourteen times out of our twenty-eight presidents. So it is an actual fact that had the six-year plan proposed by the opposition been adopted in the past, the wheels of our government would have been forced to stand still for two years at a time exactly half as many times as this country has had presidents. Under the present plan this additional two years of crisis was each time successfully avoided.

And in the eighth place, we cannot favor any plan which would compel us to retain an incompetent president and reject a competent one. The opposition proposes to make each president serve six years. No more, no less. We propose to keep the present system. Elect the president for four years. If he is a good president — re-elect him. If he is a bad president — reject him.

Under our opponents' plan, if we elected a bad president, we would have to keep him six years. Under our plan we would only have to keep him four. Under their plan, if we elected a good president, we could only keep him six years. Under our plan we could keep him eight. Their plan extends bad administrations and cuts off good ones. Our plan cuts off bad administrations

and extends good ones. We submit that ours is the better plan.

SECOND NEGATIVE, E. PENDLETON HOWARD, TEXAS UNIVERSITY

Mr. Chairman, Ladies and Gentlemen: Before entering directly into the discussion of the presidential six-year term, let us consider briefly the arguments advanced by the gentlemen of the opposition. The proponents of the single six-year term have sought to establish their case by the enumeration of certain numerous and grave evils in our present governmental system, whose elimination, they maintain, will be effected by the adoption of this constitutional amendment. In the first place, they have inveighed against the abuse of federal patronage and power by former presidents in the efforts to force their own renominations upon the voters of their parties, against their own popular approval. They have shown how such methods as those used in the latter part of President Taft's administration are not only subversive to popular government, but seriously diminish the efficiency and capability of the chief executive himself. Then they have deplored the entangling alliances between previous national administrations and the forces of big business and special privilege. They have pointed out that legislation itself has become tainted and throttled by the injection of political partisanship into the discussion of legislative measures.

Now, ladies and gentlemen, as my colleague has pre-



viously declared, we of the negative recognize the presence of these evils and deplore their existence just as greatly as do the gentlemen of the opposition. But we maintain that the presence of these evils is due to deeper and more fundamental causes than the presidential tenure of office, and, consequently, that their cure can never be effected by any such measure as the single six-year term. We submit that it is comparatively easy, in the advocacy of any radical change or departure in our established governmental system, to enumerate and condemn the manifest defects in that system. But it is a far more difficult and comprehensive task to present a constructive remedy which can be shown to cure these defects permanently. We maintain that it is precisely in their failure to show that the single six-year term is an effective cure for the very evils that they have enumerated, that the affirmative has failed to meet the central issues involved in the discussion of this proposition to-night. After all the arguments presented by the gentlemen of the opposition have been duly digested, the question still remains, would the single six-year term prove an effective remedy for these evils in our governmental system, or would it, after all, as my colleague has maintained, prove a mere makeshift, fundamentally wrong in theory, and totally ineffective and insufficient in actual practice? This is the question upon which the issues of this debate must hinge, and it shall be in the effort to answer this question that I ask your indulgence to-night.

It shall be my purpose, therefore, to show, in the first

place, that the single six-year term is an unwarranted restriction upon popular power; in the second place, that it is an illogical remedy for the very evils which it is intended to cure, and in the third place, that its adoption would lead to further grave and ominous evils in our national government.

In the first place, we of the negative maintain that the single six-year term is an unwarranted restriction upon popular power. We believe that it is an unwarranted restriction upon popular power because it limits and curtails the powers of a progressive and enlightened electorate in a progressive and enlightened age. It assumes that the American people are morally and intellectually incapable of deciding the question of the re-election of a president. One hundred and forty years ago the framers of our constitution considered this very question, and decided that it was the safest and wisest policy to leave the question of the re-election of a president to the American people. They believed that the people were eminently capable of deciding whether or not a president should be honored with re-election. Now, the whole trend and tendency of the present age is to give the people a larger share in their own governmental affairs. The purpose of nearly all the great governmental and social reforms that are being enacted into law to-day may be summarized in a single phrase — the restoration of popular government.

And yet, at this stage in our country's development the gentlemen of the affirmative propose a limitation on popular power in the form of a constitutional prohibition

forever denying to the people the right of settling a question which they are pre-eminently capable of settling. To quote Senator Poindexter of Washington: "If they were in their swaddling clothes such a provision would be necessary, but when they have for nearly two hundred years exercised government and enjoyed freedom; when they have developed the greatest system of education of any people in the world, it is an unusual time now, when we are in the midst of progress, when information and education are on the increase instead of on the wane, to introduce a proposition here to deprive them of some of their power, and pass a resolution which implies at least that we have suddenly awakened to the conclusion that the American people are politically decadent."

Now, ladies and gentlemen, not only is this proposition an unwarranted restriction upon popular power, but it is an illogical remedy for the very evils which it is intended to cure. We contend that the causes for the abuse of federal patronage by the president in the effort to gain renomination are of a deeper and more fundamental character than the presidential tenure of office, and, consequently, can never be remedied by any such measure as the single six-year term. If a president is debarred from using the power of his great office to secure his own renomination or his own re-election, surely he will be desirous of having a successor who will be in sympathy with his views, who will be willing to carry out the policies which he has been unable to complete; he will desire that his own party shall remain in power,

for a president without a party, and without party principles would not be a desirable president.

The most desirable and the most effective remedy for the patronage ills which have so seriously handicapped the efficiency of our presidents lies in the adoption of a system of direct preferential primaries, and in an extension of the merit system in the appointment of federal officials. Presidential primaries were used with the most favorable results in many states in the last presidential election, and President Woodrow Wilson has but recently urged upon Congress the passage of a national preferential primary law. By the adoption of this measure, the ultimate source of the nomination or the renomination of a president will be placed directly in the hands of the American people. If the administration of a president is satisfactory to the great mass of the voters of his party, they will renominate him; if not, they will nominate someone else. In either case the distribution of federal patronage by the president in the effort to gain renomination will be of no avail, because the whole people can neither be bribed, intimidated, nor threatened.

By a further extension of the principle of the merit system in the appointment to federal positions, the majority of the federal officers in the several states will be placed without the range of the spoils system, and will be removed from the domain of federal patronage. With the extension of the merit system, it will become practically impossible for a president to build up those office-holding machines in the several states which have

aided in his renomination in the past. Coupled with a system of preferential primaries, this reform would eliminate the evils of federal patronage, because it strikes directly at the source of the whole patronage question.

Now, ladies and gentlemen, we contend that the causes for the undesirable influence of special privilege upon national administrations, and congressional legislation are also of a deeper and more fundamental nature than the presidential tenure of office. The forces of big business and special privileges care very little how long any particular president remains in power. If anything, they would rather have a president to their own liking in office for six years instead of four, without chance of interruption by a national campaign. As a proof of this fact we have the significant indorsement of the National Business League, and of the *Wall Street Journal* for the single six-year term. The principal object of big business is to exert a powerful influence over the president and congress in the shaping of national policies and in the enactment of national laws. Do you say that the single six-year term would prevent a tacit agreement or a bargain between the president and the corporate interests for a second term in exchange for favors at his hands during the first? As my colleague has replied, and as I now reply again, granting for the sake of argument, that this would prove the case, there is nothing to prevent an agreement between a president and big business before his election to office. There is nothing to prevent a previous bargain with the corporate interests

for support in the campaign for office in exchange for favors in their behalf. If the gentlemen of the opposition assume the president to be so easily led into entangling alliances with big business after his election to office, in the hope of securing a second election, they must necessarily admit that he would be just as easily led into these alliances in the hope of securing a first election.

We contend that the most desirable and the most effective means of removing the influence of the corporate interests over national administrations and congressional legislation is to strike at the corporate interests themselves, and not virtually to admit their necessary continuance in power by the adoption of such a measure as the single six-year term. The most effective remedy for this evil lies in a more stringent enforcement of our anti-trust laws and in the passage of such auxiliary measures as will insure their effectiveness.

Our present national administration has demonstrated its desire to restore proper business relations by the adoption of constructive measures intended to restore competition and to strengthen and augment the effectiveness of our anti-trust laws. Bills have already been presented in our national congress which have as their object the prohibition of interlocking directorates among large corporations and the rendering of violations of the Sherman law personal in character and liable to criminal prosecution. Attorney General McReynolds has waged and is waging a most effective campaign to destroy the large combinations of monopoly in restraint of trade and to restore normal conditions in our national business life.

Bills have been presented to prohibit the large donations of the powerful corporations to national campaign funds. It is by such constructive measures as these that the undesirable influences of big business on national politics are to be lessened.

We maintain, therefore, that inasmuch as they strike at the source, presidential primaries, extension of the merit system, and the strengthening and more stringent enforcement of our anti-trust laws will prove the most effective and the most desirable means of dealing with these evils in our national government. We believe that these evils can never be remedied by any measure tending to change the presidential tenure of office, because such a measure fails to strike at the root of the evil.

Having shown that the single six-year term is an unwarranted restriction upon popular power, as well as an illogical remedy for the very evils which it is intended to cure, permit me to pass to the third point that I desire to bring before you in the discussion of this question tonight, namely, that the adoption of the six-year term would in itself lead to further grave and ominous evils in our national government. We believe that six years is too long for a president who is out of sympathy with the people who elected him and too short for a president performing his great task satisfactorily. Our political history shows that we as a people believe this, for we have re-elected nine presidents and have refused to re-elect the same number. It is evident that under our present system of the division of government into three co-ordinate branches — legislative, executive, and

judicial — a fundamental defect very often occurs in which the executive branch is of one political party, while the legislative branch is dominated by another party. For instance, half way through Mr. Taft's administration he had ceased to represent the will of the electorate. So far was his administration out of harmony with the people, that at the end of two years they placed the Democratic party in control of the lower house of congress.

Now, this defect, although unavoidable under our form of government, is necessarily productive of bad results, as it places a practical deadlock upon important legislation and thwarts the popular will. As a proof of this fact, we may again cite Mr. Taft's administration to show how the Democratic tariff bills passed by a new congress were vetoed by a president out of harmony with the people. As a result of such conditions the country failed to get the legislation it desired.

To have continued Mr. Taft's administration in office for two years longer after such a landslide as gave the House of Representatives to the Democratic party, would have been a travesty upon popular government. And yet that is the very situation that the proponents of the single six-year term would bring about by the adoption of their constitutional amendment. In other words, the proposition under discussion to-night would enhance and magnify this defect in our governmental system, making a president out of harmony with the people who elected him to serve too long.

Continuing in the same channel of thought, the adop-

tion of the single six-year term would produce a tenure of office too short for a president carrying out his great constructive measures satisfactorily to the people. Every country furnishes examples from which it is manifest that disasters would have fallen upon them if they had been governed in great crises of their history by such a provision as this. Our own history furnishes conspicuous examples of the havoc that would have been wrought had administrations been changed during times of great national stress. As Senator Lodge declared in the United States Senate: "It would have been a melancholy day for this country if we had been unable to elect to a second term such a man as George Washington. No man can tell when a situation will arise when it might be a vital necessity to retain for a second term a president then in office. We might be engaged in a war where it would be the veriest misfortune conceivable to say that the man at the head of the government should be changed at the end of four years." And just as serious situations as confronted George Washington or any other president in our history are likely to arise, if we judge the future by the past.

The fathers of the Constitution were wise enough to fix a short term of office for the president, and to leave him eligible for re-election, because it gives the people an opportunity every four years to determine whether or not he is competent to administer the duties of that office. The adoption of the single six-year term would render it impossible to continue a good president in office, and at the same time make it imperative to con-

tinue a bad one. In other words, the adoption of the single six-year term would produce a tenure of office too long for a bad president, and too short for a good president.

Thus we see, ladies and gentlemen, that the single six-year term would prove an unwarranted restriction upon popular power, and at the same time, an illogical and unstable remedy for the very evils which its adoption is intended to cure. Not only would it prove disastrous from an administrative point of view, but its promulgation is based upon false political presumptions. Whether or not you are to forsake the ideals of nearly two centuries of growth, and place this retrogressive restriction upon the people of this country, is the issue, Honorable Judges, the decision of which we leave with you.

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APPENDICES

Containing a List of Debating Organizations, a Debate Record for the School Year 1913–14, Arranged Alphabetically by States, a Table of Debating Statistics, and Specimen Debate Contracts and Agreements.

APPENDIX I

CLASSIFIED LIST OF DEBATING ORGANIZATIONS

PENTANGULARS

Universities of Arkansas, Louisiana, Mississippi, Tennessee, and Texas.

Universities of Illinois, Iowa, Minnesota, Nebraska, and Wisconsin. Called "The Central Debating Circuit."

Minnesota College League — Carleton, Gustavus Adolphus, Hamline, Macalester, and St. Olaf colleges. Begun 1914–15.

QUADRANGULARS

Pennsylvania. Dickinson College, Carlisle, Franklin and Marshall College, Lancaster, Pennsylvania State College, State College, and Swarthmore College, Swarthmore.

TRIANGULARS

Alabama. Talladega College, Talladega; with Moore House College, Atlanta Ga., and Knoxville College, Knoxville, Tenn.

California. 1. Pacific Coast Debating League. Leland Stanford, Palo Alto; with universities of Oregon and Washington at Eugene and Seattle.

2. Southern California triangular; Occidental College, Los Angeles, Pomona College, Claremont, and University of Southern California, Los Angeles.

Colorado. Colorado Agricultural College, Ft. Collins. With the agricultural colleges of Kansas and Oklahoma at Manhattan and Stillwater.

2. University of Colorado, Boulder. With universities of Kanasas and Oklahoma at Lawrence and Norman.

3. University of Colorado. With Universities of Texas and Missouri at Austin and Columbia.

Connecticut. 1. Wesleyan University, Middletown; with Amherst College, Amherst, Mass., and Williams College, Williamstown, Mass.

2. Wesleyan University, Middletown; with Bowdoin College, Brunswick, Me., and Hamilton College, Clinton, N. Y.

3. Yale University; with Harvard and Princeton universities.

4. Yale University Freshmen; with Harvard and Princeton Freshmen.

Georgia. 1. Emory College, Oxford; with Emory and Henry College, Emory, Va., and Wofford College, Spartanburg, S. Carolina.

2. Moore House College, Atlanta; with Talladega College, Talladega, Ala., and Knoxville College, Tenn.

3. University of Georgia; with universities of Virginia and S. Carolina at Charlottesville and Columbia.

Illinois. 1. Augustana College, Rock Island, Illinois College, Jacksonville, and Monmouth College, Monmouth.

2. Eureka College, Eureka, Illinois Wesleyan, Bloomington, and Milliken University, Decatur.

3. Illinois State Normal, Normal; with Indiana State Normal, Terre Haute, and Oshkosh Normal, Oshkosh, Wis.

4. Knox College, Galesburg; with Beloit College, Beloit, Wis., and Cornell College, Mt. Vernon, Ia.

5. Northwestern University, Evanston; with University of Chicago, Chicago, Ill., and University of Michigan, Ann Arbor, Mich.

6. University of Illinois, Urbana; with universities of Indiana and Ohio at Bloomington and Columbus.

Indiana. 1. Earlham College, Richmond, DePauw University, Greencastle, and Indiana University, Bloomington.

2. Indiana State Normal, Terre Haute; with State Normals of Illinois and Wisconsin at Normal and Oshkosh.

3. Indiana University, Bloomington; with universities of Illinois and Ohio at Urbana and Columbus.

Iowa. 1. Central College, Pella, Highland Park College, Des Moines, and Simpson College, Indianola (Girls).

2. Coe College, Cedar Rapids, Morningside College, Sioux City, and Teachers' College, Cedar Falls.

3. Cornell College, Mt. Vernon; with Knox College, Galesburg, Ill., and Beloit College, Beloit, Wis.

4. Des Moines College, Des Moines; Ellsworth College, Ellsworth, and Central College, Pella.

5. Drake University, Des Moines; with Grinnell College, Grinnell, Ia., and University of S. Dakota, Vermillion, S. Dak.

6. Iowa Wesleyan, Mt. Pleasant, Simpson College, Indianola, and Upper Iowa College, Fayette.

7. Leander Clark College, Toledo, Parsons College, Fairfield, and Penn College, Oskaloosa.

Kansas. 1. Baker University, Baldwin; with Washburn College, Topeka, Kans., and Nebraska Wesleyan, University Place, Nebr. Nebraska Wesleyan replaced by Ottawa University, Ottawa, Kans., 1914–15.

2. College of Emporia, Emporia, Ottawa University, Ottawa, and Southwestern University, Winfield. Disbanded 1914.

3. Fairmount College, Wichita; with Friends University, Wichita, and Phillips University, Enid, Okla.

4. Kansas State Agricultural College, Manhattan; with State Colleges of Oklahoma and Colorado at Stillwater and Ft. Collins.

5. Kansas State Agricultural College, Manhattan; with Iowa State College, Ames, Ia., and University of S. Dakota, Vermillion, S. Dak.

6. University of Kansas, Lawrence; with universities of Colorado and Oklahoma at Boulder and Norman.

Maine. Bowdoin College, Brunswick; with Wesleyan University, Middletown, Conn., and Hamilton College, Clinton, N. Y.

Maryland. Johns Hopkins University, Baltimore; with universities of North Carolina and Virginia at Chapel Hill and Charlottesville.

Massachusetts. 1. Amherst College, Amherst; with Wesleyan University, Middletown, Conn., and Williams College, Williamstown, Mass.

2. Harvard University, Cambridge; with Princeton and Yale universities at Princeton, N. J., and New Haven, Conn.

3. Harvard Freshmen; with Princeton and Yale Freshmen.
4. Williams College, Williamstown; with Brown University, Providence, R. I., and Dartmouth College, Hanover, N. H.

Michigan. 1. Alma College, Alma, Hope College, Holland, and Olivet College, Olivet.
2. University of Michigan, Ann Arbor; with Northwestern University, Evanston, Ill., and University of Chicago, Chicago, Ill.

Minnesota. 1. Carleton College, Northfield; with Ripon College, Ripon, Wis., and S. Dakota Wesleyan, Mitchell, S. Dak. Disbanded 1914.
2. Hamline University, St. Paul, Macalester College, St. Paul, and St. Olaf College, Northfield. Disbanded 1914.

Missouri. 1. Central College, Fayette, Missouri Valley College, Marshall, and Westminster College, Fulton.
2. University of Missouri, Columbia; with universities of Colorado and Texas at Boulder and Austin.

Montana. Montana State College, Bozeman; with Gonzaga University, Spokane, Wash., and University of Montana, Missoula.

Nebraska. Cotner College, Bethany, Bellevue College, Bellevue, and Doane College, Crete.

New Hampshire. Dartmouth College, Hanover; with Brown University, Providence, R. I., and Williams College, Williamstown, Mass.

New Jersey. 1. Princeton University, Princeton; with Harvard and Yale universities at Cambridge, Mass., and New Haven, Conn.
2. Princeton Freshmen; with Harvard and Yale Freshmen.

New York. 1. Columbia University, New York; with Cornell University, Ithaca, and University of Pennsylvania, Philadelphia.
2. Hamilton College, Clinton; with Bowdoin College, Brunswick, Me, and Wesleyan University, Middleton, Conn.

N. Carolina. University of N. Carolina, Chapel Hill; with Johns Hopkins University, Baltimore, Md., and University of Virginia, Charlottesville.

N. Dakota. Fargo College, Fargo; with University of N. Dakota, Grand Forks, and University of Manitoba, Winnipeg, Canada.

Ohio. 1. Denison University, Granville, Miami University, Oxford, and Ohio University, Athens.

2. Heidelberg University, Tiffin, Otterbein University, Westerville, and Muskingum College, New Concord.

3. Mt. Union College, Mt. Union, Muskingum College, New Concord, and Ohio Northern College.

5. Oberlin College, Oberlin; Ohio Wesleyan, Delaware, and Western Reserve, Cleveland.

6. Ohio State University, Columbus; with universities of Illinois and Indiana at Urbana and Bloomington.

7. University of Wooster, Wooster; with Allegheny College, Meadville, Pa., and University of Pittsburg, Pittsburg.

8. Wittenberg College, Springfield, Mt. Union College, Alliance, and Otterbein University, Westerville.

Oklahoma. 1. Northwestern State Normal, Alva, Central State Normal, Edmond, and Southwestern State Normal, Weatherford.

2. Phillips University, Enid; with Fairmount College and Friends University, both of Wichita, Kansas.

3. Oklahoma Agricultural and Mechanical College, Stillwater; with Kansas and Colorado Agricultural colleges at Manhattan and Ft. Collins.

4. University of Oklahoma, Norman; with Kansas and Colorado universities at Lawrence and Boulder.

Oregon. University of Oregon; with Stanford University, Palo Alto, California, and University of Washington, Seattle.

Pennsylvania. 1. Allegheny College, Meadville; with University of Pittsburg, Pittsburg, and University of Wooster, Wooster, Ohio.

2. University of Pennsylvania, Philadelphia; with Cornell University, Ithaca, N. Y., and Columbia University, New York City.

Rhode Island. Brown University, Providence; with Williams College, Williamstown, Mass., and Dartmouth College, Hanover, N. H.

S. Dakota. 1. Dakota Wesleyan, Mitchell; with Carleton College, Northfield, Minn., and Ripon College, Ripon, Wis. Disbanded 1914.

2. University of South Dakota, Vermillion; with state colleges of Iowa and Kansas at Ames and Manhattan.

3. University of South Dakota; with Drake University, Des Moines, Iowa, and Grinnell College, Grinnell, Iowa.

Tennessee. Knoxville College, Knoxville; with Talladega College, Talladega, Ala., and Moore House College, Atlanta, Ga.

Texas. 1. Southwestern University, Georgetown, Texas Christian University, Ft. Worth, and Trinity College, Waxahachie.

2. University of Texas, Austin; with Colorado and Missouri universities at Boulder and Columbia.

Utah. Utah Agricultural College, Logan, University of Utah, Salt Lake City, and Brigham Young University, Provo.

Vermont. Middlebury College, Middlebury, University of Vermont, Burlington, and Norwich University, Northfield.

Virginia. 1. Emory and Henry College, Emory; with Emory College, Oxford, Ga., and Wofford College, Spartanburg, S. Carolina.

2. Randolph-Macon College, Ashland, Richmond College, Richmond, and William and Mary College, Williamsburg.

3. University of Virginia, Charlottesville; with Johns Hopkins University, Baltimore, Md., and University of N. Carolina, Chapel Hill, N. C.

4. Washington and Lee University, Lexington; with Tulane University, New Orleans, La., and Trinity University, Durham, N. Carolina.

Washington. University of Washington, Seattle, Whitman College, Walla Walla, Washington State College, Pullman.

2. University of Washington, Seattle; with University of Oregon, Eugene, Ore., and Stanford University, Palo Alto, California.

3. University of Washington, Seattle (Women's Triangular League); with Whitman College and Washington State College at Walla Walla and at Pullman.

West Virginia. West Virginia Wesleyan, Buckhannon, Bethany College, Bethany, and Marietta College, Marietta, Ohio.

Wisconsin. 1. Beloit College, Beloit; with Knox College, Galesburg, Ill., and Cornell College, Mt. Vernon, Ia.

2. Lawrence College, Appleton, Ripon College, Ripon, and Beloit College, Beloit. Freshman triangular.

3. Oshkosh Normal, Oshkosh; with State Normal Schools of Illinois and Indiana at Normal and Terre Haute.

4. Ripon College, Ripon; with Carleton College, Minn., and Dakota Wesleyan College, Mitchell, S. Dakota. Disbanded 1914.

DUAL DEBATES

California. University of Southern California, Los Angeles, and Whittier College, Whittier, Calif. Scheduled for 1914–15.

Connecticut. Yale University, New Haven, and Syracuse University, Syracuse, N. Y.

Illinois. Northwestern College, Naperville; with Carroll College, Waukesha, Wis.

Iowa. 1. Highland Park College, Des Moines; with State Teachers' College, Cedar Falls, Ia.

2. Highland Park College, Des Moines; with Leander Clark College, Toledo.

3. Iowa Wesleyan (Freshmen), Mt. Pleasant, with Knox College (Freshmen), Galesburg, Ill.

Kansas. 1. Cooper College, Sterling; with Friends University, Wichita (Girls' dual debate).

2. Kansas Agricultural College, Manhattan; with Washburn College, Topeka.

Michigan. Adrian College, Adrian; with Michigan State Normal, Ypsilanti.

2. Michigan State Normal, Ypsilanti, with Olivet College, Olivet.

New York. Syracuse University, Syracuse; with Yale University, New Haven, Conn.

Ohio. 1. Hiram College, Hiram, with Baldwin-Wallace College, Berea, Ohio.

2. Mt. Union College, Alliance, with Western Reserve University, Cleveland, Ohio.

Oklahoma. Northwestern Normal School, Alva, with Kansas State Normal, Emporia.

...ge, Brookings.
2. S. Dakota Stat
Agricultural College
Virginia. William and
ginia Polytechnic Ins
Wisconsin. Carroll Coll
lege, Naperville, Ill.

APPENDIX II

Lists of Colleges and Universities Engaging in Forensic Contests During the School Year, 1913–14, with Names of Coaches, Managers of Debate, and Statement of Questions, Record of Decisions, etc., Arranged Alphabetically by States.

ALABAMA

Talladega College. Talladega. Congregational. Wm. Pickens, Coach and Manager.

Triangular—Moore House College, Atlanta, Ga., and Knoxville College, Knoxville, Tenn. Two men teams. Date—April 10. Question—Resolved, that the United States should abandon the Monroe Doctrine. Decisions—At Talladega, Knoxville Negative won 2 to 1. At Altanta, Talladega Negative won 2 to 1. At Knoxville, Moore House Negative won 3 to 0.

University of Alabama. Tuscaloosa. Non-sectarian. Frederick D. Losey, Rhetoric and Public Speaking, Coach. Debate Council manages.

Annual Debate—University of the South, Sewanee, Tenn. No report 1914.

Annual Debate—Vanderbilt University, Nashville, Tenn. Two men teams. Date—April 17. Place—Nashville. Question—Resolved, that the President of the United States should be elected by a direct vote of the people. Decision—Vanderbilt affirmative 2 to 1.

ARKANSAS

Ouachita College. Arkadelphia. Baptist. H. L. Grice, Coach. M. R. Owens, Manager, 1913–14.

Annual Debate—Baylor University, Waco, Texas. Three men team. Date—April 10. Place—Arkadelphia. Question—Re-

solved, that all telegraph and telephone lines in the United States should be owned and operated by the government. Decision—Ouachita negative 3 to 0.

University of Arkansas. Fayetteville. Non-sectarian. No report 1914.

Pentangular—Universities of Louisiana, Mississippi, Tennessee, and Texas. Arkansas met Tennessee and Texas. Two on teams. Date—April 3, 1914. Question—Resolved, that the President of the United States should be elected for a term of six years and should therefore be ineligible to re-election. Decisions—At Fayetteville, Arkansas Affirmative 2, Tennessee 1. At Austin, Texas Affirmative 2, Arkansas Negative 1.

Annual Debate—University of Oklahoma, Norman. See under Oklahoma.

CALIFORNIA

Leland Stanford University. Palo Alto. Non-sectarian. Delta Sigma Rho. R. J. Miller, in charge. Manager 1913–14 C. C. Close.

Annual Debate—University of California, Berkeley. Three men on teams. Date—November 7, 1913. Place—San Francisco. Question—Resolved, that the immigration to the United States of all Unskilled labor of the Slavic, Hellenic, and Italian races of Eastern and Southeastern Europe should be prohibited. Decision—Stanford Affirmative 3 to 0.

Annual Carnot Debate—University of California, Berkeley. Three men teams, one chosen from Stanford to debate with two from Berkeley against two from Stanford and one from Berkeley. Debate for a prize offered for best debate on a subject pertaining to France. Date—April 10. Place—Berkeley. Question—Resolved, that France should abandon her alliance with Russia in favor of an offensive and defensive alliance with England. Decision—Prize awarded to John Levy, University of California. He spoke on the Affirmative.

Triangular—Universities of Oregon and Washington at Eugene and Seattle. Two men teams. Date—March 13. Question—Resolved, that the Executive Department should be made re-

sponsible for our national budget. Decisions—At Palo Alto, Washington Affirmative, 3 to 0. At Eugene, Stanford Affirmative, 3 to 0. At Seattle—Oregon Affirmative, 3 to 0. Washington reports that each university won on the Affirmative at home, a report directly opposite to this one.

Occidental College. Los Angeles. Presbyterian. No coach—Various members of faculty assist. Manager 1913–14—Paul B. Steintorf. Mgr. 1914–15—M. M. Mier.

Annual Debate—University of Redlands, Redlands. Two men teams. Date—Dec. 13, 1913. Place—Redlands. Question—Resolved, that Congress should enact a Blue Sky law for the regulation of corporations, associations, companies, partnerships and firms engaged in interstate commerce. Decision—Occidental Affirmative 2 to 1.

Triangular—Pomona College, Claremont, Calif., and University of Southern California, Los Angeles. Three men teams. Date, Feb. 28. Question—Granting that further restriction of immigration into the United States is desirable, resolved, that such restriction should take the form of an illiteracy test. Decision—At Occidental, 3 to 0 for University of S. Calif. Negative. At Claremont, 3 to 0 for Pomona Affirmative. At University of S. Calif., 2 to 1 for Pomona Negative.

Pomona College. Claremont. Congregational. Harold R. Bruce, Coach 1912-14. Paul A. Davies, 1914–15. Manager 1913–14, Carl I. Wheat.

Annual Debate—Freshman debate with University of Redlands. Three men teams. Date—May 12, 1914. Place—Redlands. Question—Resolved, that the United States should pursue a general policy of regulation toward the trusts rather than one of dissolution and prevention. Decision—University of Redlands 3 to 0.

Triangular—Occidental College and University of S. California. See Occidental above. Pomona won both debates in the triangular.

University of California. Berkeley. Non-sectarian. Prof. M. C. Flaherty, Coach. Manager 1913–14, M. J. Bleuel. 1914–15 Manager—Chairman of Debate Council.

Annual Debate—Stanford University. See Stanford above.

Annual Carnot Debate—See Stanford University above.

University of Redlands. Redlands. Baptist. Pi Kappa Delta. Egbert Ray Nichols, Eng. Dept., in charge. Manager 1913–14, Newell D. Spayth. Manager 1914–15, William Geistweit.

Annual Debate—Occidental College. See Occidental above.

Annual Freshman Debate—Pomona College. See Pomona above.

University of Southern California. Los Angeles. Methodist Episcopal. A. W. Olmstead, 3542 Flower St., Los Angeles, Coach. Manager 1913-14, H. N. Wells. Mgr. 1914-15, Emory E. Olson.

Annual Debate—(Law School)—Northwestern University. Two men teams. Date—Dec. 19, 1913. Place—Evanston. Question—Resolved, that the right of trial by jury should be abolished in all civil cases. Decision—3 to 0 for U. S. C. Law Affirmative.

Annual Debate—(Law School)—Brigham Young University. Two men teams. Date—March 21, 1914. Place—Salt Lake City. Question—Resolved, that coastwise trade of the United States should be exempt from the payment of tolls at the Panama Canal. Decision—2 to 1 for Brigham Young Negative.

Annual Debate—(Law School)—North Dakota State College, Brookings. Two men teams. Date—April 9th. Place—Los Angeles. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decision—2 to 1 for North Dakota Affirmative.

Annual Debate—University of Oklahoma, Norman, Okla. Two on teams. Date—March 17, 1913. Place—Norman. Question—Resolved, that deposits should be guaranteed by a government tax on banks proportional to deposits. Decision—U. S. C. Negative won 3 to 0.

Dual Debate—Whittier College, Whittier. See Whittier below.

Triangular—Occidental College, Los Angeles, and Pomona College, Claremont. See Occidental above.

Whittier College. Whittier. Friends. Dr. H. T. Allen, Coach. Manager 1914, Charles Crumly. Manager 1914–15, H. C. Reid.

Dual Debate—University of Southern California, Los Angeles. Two men teams. Place—At Whittier and at Los Angeles on

same night. Date—May 28, 1914. Question—Resolved, that the Single Tax would materially improve the economic conditions of the United States. Decisions—At Whittier U. S. C. Negative won 3 to 0. At Los Angeles Whittier Negative won 2 to 1.

COLORADO

Colorado Agricultural College. Ft. Collins. Non-Sectarian. Pi Kappa Delta. Alfred Westfall, Coach. B. F. Coen, Manager 1913-15.

Triangular—Kansas Agricultural College, Manhattan, and Oklahoma Agricultural and Mechanical College, Stillwater. Two men teams. Date—March 20, 1914. Question—Resolved, that the tolls of the Panama Canal should be the same for the merchant vessels of all nations. Explanation, by the term, merchant vessels, all others ships than ships of war is meant. Decisions—Affirmative won at home in each of the three debates.

Colorado College. Colorado Springs. Non-Sectarian. J. W. Park, Coach. R. M. Atwater, Manager 1913-14. J. S. Hall, Manager 1914-15.

Annual Debate—University of Denver, Denver, Colo. Three on team. Date—March 26, 1914. Place—Denver. Question—Resolved, that the Monroe Doctrine as it has been applied by the United States should be abandoned. Decision—2 to 1 for Denver Negative.

University of Colorado. Boulder. Non-sectarian. Delta Sigma Rho. No report 1913-14.

Triangular—Kansas and Oklahoma Universities. See University of Kansas, Kans.

Triangular—Missouri and Texas Universities. See Texas.

Annual Debate—See University of Utah.

University of Denver. Denver. Methodist Episcopal. Tau Kappa Alpha. No Coach. No report 1913-14.

Ahnual Debate—Colorado College. See above.

Annual Debate—Kansas Wesleyan University. See under Kansas.

Annual Debate—University of Wyoming, Laramie. See Wyoming.

CONNECTICUT

Wesleyan University. Middletown. Non-sectarian. Delta Sigma Rho. No Coach. C. D. Abraham, Manager 1913–14. No report 1914.

Triangular—Amherst College, Amherst, Mass., and Williams College, Williamstown, Mass.

Triangular—Bowdoin College, Brunswick, Me., and Hamilton College, Clinton, New York. See Bowdoin College, Me.

Yale University. New Haven. Non-sectarian. Delta Sigma Rho. Prof. John Fairchild Adams, Coach. Lawrence M. Marks, Manager 1913–14. Philip O. Badger, Yale Station, New Haven, Conn., Manager 1914–15.

Dual Debate—Syracuse University, Syracuse, New York. Three men teams. Date—December 12, 1913. Question—Resolved, that the States should fix by law a minimum wage for women and child workers, it being agreed that eight dollars and six dollars per week respectively are necessary to a fair standard of living. Decisions—At Syracuse 3 to 0 for Syracuse Affirmative. At New Haven 2 to 1 for Syracuse Negative.

Triangular—Harvard University, Cambridge, Mass., and Princeton University, Princeton, N. J. Date—March 27, 1914. Question—Resolved, that the women in the United States should be given the suffrage on equal terms with men. Decisions—At New Haven, Yale Negative won from Harvard. At Princeton, Princeton Negative won from Yale. At Cambridge, Harvard Negative won from Princeton.

Triangular—Harvard and Princeton Freshmen. No report.

DISTRICT OF COLUMBIA

Georgetown University. Washington. Catholic. Mark J. McNeal, Coach. John Carter, Manager 1913–14. No report 1914.

George Washington University. Washington. Non-sectarian. Delta Sigma Rho. No report 1914.

Annual Debate—Cornell University, Ithaca, N. Y. See under New York.

Howard University. Washington. Non-sectarian. B. G. Brawley, Coach. No report 1914.

Annual Debate—Wilberforce University, Wilberforce, Ohio. See under Ohio.

Annual Debate—Fisk University, Nashville, Tenn. See Fisk, Tenn.

GEORGIA

Atlanta University. Atlanta. Non-sectarian. G. A. Towns, Coach. Eugene Dibble, Manager 1913–14. John Whittaker, Manager 1914–15.

Annual Debate—Fisk University, Nashville, Tenn. Two men teams. Date—April 3, 1914. Place—Nashville. Question—Resolved, that the United States should disclaim the Monroe Doctrine as a part of its foreign policy. Decision—2 to 1 for Atlanta Affirmative.

Emory College. Oxford. Methodist Episcopal South. Dr. Edgar H. Johnson, in charge. H. H. Stone, Sec. Deb. Council 1913–14.

Triangular—Emory and Henry College, Emory, Va., and Wofford College, Spartanburg, S. Carolina. Three men teams. Date—April 11, 1914. Question—Resolved, that the system of direct legislation known as the Initiative and Referendum should be generally adopted by the States. Decisions—At Oxford, Ga., Emory Affirmative won from Emory and Henry 2 to 1. At Spartanburg, Emory Negative defeated Wofford 3 to 0. At Emory, Va., Emory and Henry Affirmative defeated Wofford 3 to 0.

Moore House College. Atlanta. No report.

Triangular—Talladega College, Talladega, Alabama, and Knoxville College, Knoxville, Tenn. See Talladega, Ala.

University of Georgia. Athens. Non-sectarian. No Coach. Manager 1913–14 Edgar D. Kenyon, Chairman Debate Council. Manager 1914-15, Chairman Debate Council.

Triangular—Universities of Virginia and S. Carolina, at Charlottesville and Columbia. Two men teams. Date—May 2, 1914. Question—Resolved, that the United States should cease to maintain a position as one of the three leading

naval powers of the world. Decisions—At Charlottesville, Va., Georgia Affirmative won from S. Carolina 3 to 2. At Columbia, S. C., Georgia Negative won from Virginia 4 to 1. At Athens, Ga., S. Carolina Affirmative won from Virginia 5 to 0.

ILLINOIS

Augustana College. Rock Island. Lutheran. Prof. A. E. Keiber, Coach. Mgr. 1913–15, Evan Anderson.

Annual Debate—Bethany College, Lindsborg, Kansas. Three men teams. Date—April 27, 1914. Place—Lindsborg. Question—Resolved, that the recall should be applied to the State judiciary. Decision—2 to 1 for Bethany Affirmative.

Triangular—Illinois College, Jacksonville, Ill., and Monmouth College, Monmouth, Ill. Three men teams. Date—March 27, 1914. Question—Resolved, that the Federal Government should conduct the express business of the country, constitutionality waived. "Conduct" to mean operate through ownership. Decisions—At Augustana, Rock Island, 2 to 1 for Illinois Negative. At Monmouth 2 to 1 for Monmouth Affirmative. At Jacksonville, 2 to 1 for Illinois Affirmative.

Eureka College. Eureka. Non-sectarian. Pres. H. O. Pritchard, in charge.

Triangular—Illinois Wesleyan, Bloomington, Ill., and James Milliken University, Decatur, Ill. Three men teams. Date—March 20, 1914. Question—Resolved, that the United States should uphold the policy of exemption from Panama Canal tolls of all vessels engaged in our coastwise trade. Decisions—At Eureka 2 to 1 for Eureka Affirmative. At Decatur 3 to 0 for Eureka Negative. At Bloomington 3 to 0 for Milliken Negative.

Illinois College. Jacksonville. Presbyterian. No Coach. H. C. Stotlar, Sec. Orat. Com., Mgr. 1913–14. Sec. Orat. Com., Mgr. 1914–15.

Annual Debate—Bradley College. Three men teams. Date—March 6, 1914. Place—Jacksonville. Question—Resolved, that the several states should adopt a minimum wage schedule for unskilled laborers. Constitutionality conceded. Decision—3 to 0 for Illinois Affirmative.

Triangular—Augustana College, Rock Island, and Monmouth College, Monmouth. Three men teams. Date—March 27, 1914. Question—Resolved, that the federal government should conduct the Express business of the country. The term "conduct" meaning to operate through government ownership. Decisions—At Jacksonville, 2 to 1 for Illinois Affirmative. At Rock Island, 3 to 0 for Illinois Negative. At Monmouth, 2 to 1 for Monmouth Affirmative.

Illinois Wesleyan. Bloomington. Methodist Episcopal. Pi Kappa Delta. P. C. Somerville, Coach and Manager.

Triangular—Eureka College, Eureka, and Milliken University, Decatur. Three men teams. Date—March 20, 1914. Question—Resolved, that the United States should uphold the policy of exemption from Panama Canal tolls for our coastwise trade. Decisions—At Bloomington, Milliken Negative 3, Illinois Wesleyan 0. At Eureka, Eureka Affirmative 2, Illinois Wesleyan Negative 1. At Decatur, Eureka Negative 3, Milliken 0.

James Milliken University. Decatur. Presbyterian. H. G. Seldomridge, Coach. Manager 1913–15, Leo Graybill.

Triangular—Eureka College, Eureka, and Illinois Wesleyan, Bloomington. See Eureka and Wesleyan above.

Knox College. Galesburg. Non-Sectarian. Delta Sigma Rho. Dwight E. Watkins, Prof. of Public Speaking. Manager 1913–14, Wm. Tomlinson.

Triangular—Beloit College, Wisconsin, and Cornell College, Mt. Vernon, Ia. Three men teams. Date—April 23, 1914. Question—Resolved, that the Parcel Post should be extended to include the entire express service of the United States. Decisions—At Galesburg, Knox Affirmative 2, Cornell Negative 1. At Beloit, Beloit Affirmative 2, Knox Negative 1. At Mt. Vernon, Cornell Affirmative 2, Beloit Negative 1.

Dual Debate (Freshmen). Iowa Wesleyan, Mt. Pleasant. Three men teams. Date—May 7, 1914. Question—Resolved, that the railroads of the United States should be owned and operated by the federal government. Decisions—At Galesburg, Knox Affirmative 1, Iowa Wesleyan Negative

2. At Mt. Pleasant, Ia., Iowa Wesleyan Affirmative 3, Knox Negative 0.

Monmouth College. Monmouth. United Presbyterian. M. M. Maynard, Eng. Dept., and Arthur Andrews, in charge.

Annual Debate—William Jewell College, Liberty, Mo. Three men teams. Date—April 24, 1914. Place—Monmouth. Question—Resolved, that the federal government should conduct the express business of the country. Constitutionality waived. Decision—Wm. Jewell Affirmative 0, Monmouth Negative 3.

Annual Debate (Sophomore). See Iowa Wesleyan, Ia.

Triangular—Augustana College, Rock Island, and Illinois College, Jacksonville. See Augustana and Illinois Colleges above.

Northwestern College. Naperville. Evangelical. Prof. Edward N. Himmel, Coach. Manager 1913–14, H. E. Eberhardt. Manager 1914–15, Paul Berger.

Dual Debate—Carroll College, Waukesha, Wis. Three on teams. Date—May 1, 1914. Question—Resolved, that all state and federal judges should be subject to a recall by a vote of the people. Decisions—At Naperville, Northwestern Affirmative 2, Carroll Negative 1. At Waukesha, Carroll Affirmative 0, Northwestern Negative 3.

Northwestern University. Evanston. Methodist Episcopal. Delta Sigma Rho. James L. Lardner, Coach and Manager. Clarion D. Hardy, Assistant.

Annual Debate (Freshman)—Chicago University, Chicago. Three on teams. Date—April 24, 1914. Place—Chicago University. Question—Resolved, that the federal government should own and operate all telegraph and telephone lines in the United States. Decision—Chicago Affirmative 1, Northwestern Negative 2.

Triangular—Chicago University, Chicago, and Michigan University, Ann Arbor, Mich. Three on teams. Date—January 16, 1914. Question—Resolved, that the states should establish schedules of minimum wages for unskilled labor. Constitutionality conceded. Decisions—At Evanston, Northwestern Affirmative 3, Chicago Negative 0. At Ann Arbor, Michigan

Affirmative 1, Northwestern Negative 2. At Chicago, Chicago Affirmative 3, Michigan Negative 0.

University of Chicago. Chicago. Non-sectarian. Delta Sigma Rho. Howard Glenn Moulton, Coach. Address, Faculty Exchange, Univ. of Chicago.

Triangular—Northwestern University, Evanston, and Michigan University, Ann Arbor, Mich. (See Northwestern above.)

Annual Freshman Debate—Northwestern University, Evanston. (See Northwestern above.)

University of Illinois. Urbana. Non-sectarian. Delta Sigma Rho. Chas. H. Woolbert, Coach and Manager.

Triangular—Universities of Indiana and Ohio at Bloomington and Columbus respectively. Three on teams. Date—March 13, 1914. Question—Resolved, that the policy of fixing a minimum wage by state boards is desirable. Decisions—At Urbana, Illinois Affirmative 3, Ohio Negative 0. At Bloomington, Ind., Indiana Affirmative 1, Illinois Negative 2. At Columbus, O., Ohio Affirmative won.

Pentangular—Illinois met Iowa and Wisconsin universities at Iowa City and Madison. Three on teams. Date—Dec. 13, 1913. Question—Resolved, that immigration into the United States should be further restricted by the adoption of a literary test. Decisions—At Urbana, Illinois Affirmative 1, Iowa Negative 2. At Madison, Wisconsin Affirmative 3, Illinois Negative 0.

INDIANA

Butler College. Indianapolis. Non-sectarian. Tau Kappa Alpha. Harvey B. Stout, Coach. Address, Lemcke Bldg., Indianapolis. Manager 1913–15 Bruce Robinson, Butler College.

Annual Debate—Albion College, Albion, Mich. Three on teams. Date—March 27, 1914. Place—Indianapolis. Question—Resolved, that the open shop industrial policy is justified. Decision—Albion Negative 2 to 1.

DePauw University. Greencastle. Methodist Episcopal. Tau Kappa Alpha. Prof. H. B. Gough, Public Speaking, Coach. Edward Troxell, Asst. Coach. No report 1914.

Triangular—Earlham College, Richmond, Ind., and Indiana University, Bloomington. (See Earlham below.)

Earlham College. Richmond. Friends. E. P. Trueblood, Coach and Manager.

Annual Debate—Albion College, Albion, Mich. Three on teams. Date—February 13, 1914. Place—Albion. Question—Resolved, that immigration into the United States should be further restricted. Decisions—Albion Affirmative 3 to 0.

Triangular—DePauw University, Greencastle, Ind., and Indiana University, Bloomington. Three on teams. Date—April 17, 1914. Question—Resolved, that Indiana should have a compulsory arbitration law to settle all labor disputes. Constitutionality conceded. Decisions—At De Pauw Univ., Greencastle, Earlham Affirmative lost to Indiana Negative. At Indiana University, Bloomington, DePauw Affirmative lost to Earlham Negative. At Earlham, Richmond, no report.

Indiana University. Bloomington. Non-sectarian. Delta Sigma Rho. Ralph Richman, Coach. Earl Keyes, Manager 1913–14. No report 1914.

Triangular—Illinois and Ohio universities. (See under Illinois and Ohio.)

Triangular—Earlham College and DePauw University, Indiana. (See Earlham College above.)

Indiana State Normal. Terre Haute. Non-sectarian. C. Baldwin Bacon, Coach. 728 South Sixth St.

Triangular—Illinois State Normal, Normal, and Oshkosh Normal, Oshkosh, Wis. Three on teams. Date—April 24, 1914. Question—Resolved, that minimum wages should be fixed by state authority. Decisions—At Terre Haute, Indiana Affirmative 2, Illinois Negative 1. At Oshkosh, Oshkosh Affirmative 3, Indiana Negative 0. At Normal, Illinois Affirmative 1, Oshkosh Negative 2.

Purdue University. Lafayette. Non-sectarian. No report 1914.

Dual Debate—Michigan Agricultural College, East Lansing, Mich. (See under Michigan.)

Notre Dame, University of. Notre Dame. Roman Catholic. William A. Bolger, Coach and Manager. No report 1914.

Wabash College. Crawfordsville. Non-sectarian. Tau Kappa Alpha. Prof. Bodine, Coach. Eugene M. Goodbae, Mgr. 1913–14. No report 1914.

IOWA

Central University. Pella. Baptist. Pi Kappa Delta. Prof. J. D. Dodson, Coach. Manager 1913–14 ——. No report 1914.

Triangular—Des Moines College, Des Moines, and Ellsworth College, Ellsworth. Three on teams. Date—March 24, 1914. Question—Resolved, that the Japanese should be admitted as subjects to the United States upon the same basis as European people. Decisions—At Des Moines, Des Moines Affirmative 1, Central University 2. At Ellsworth, Ellsworth Affirmative 2, Des Moines 1. At Pella—No report.

Triangular—(Girls). (See Highland Park College below.)

Coe College. Cedar Rapids. Non-sectarian. H. Y. Simmons, Coach. Manager, President, Forensic Board. No report 1914.

Triangular—Iowa Teachers' College, Cedar Falls, and Morningside College, Sioux City. (See Iowa Teachers and Morningside below.)

Cornell College. Mt. Vernon. Methodist Episcopal. Prof. A. S. Keister, Coach. Manager 1911, Roy Weis. Manager 1914–15, Tracy Thompson.

Triangular—Knox College, Galesburg, Ill., and Beloit College, Beloit, Wis. Three on teams. Date—April 23, 1914. Question—Resolved, that the parcel post should be extended to include the entire Express service of the United States. Decisions—At Mt. Vernon, Cornell Affirmative 2, Beloit Negative 1. At Galesburg, Knox Affirmative 2, Cornell Negative 1. At Beloit, Beloit Affirmative 2, Knox Negative 1.

Des Moines College. Des Moines. Baptist. Mrs. F. T. Stephenson, Coach. Manager 1913–14, Burrus E. Beard. Manager 1914–15, Raymond Risses.

Triangular—Central University, Pella, and Ellsworth College, Ellsworth. Three on teams. Date—March 24, 1914. Question—Resolved, that the Japanese should be admitted as subjects to the United States upon the same basis as the European people. Decisions—At Des Moines, Des Moines Affirmative 1, Central Negative 2. At Ellsworth, Ellsworth Affirmative 2, Des Moines Negative 1. At Pella—No report.

Drake University. Des Moines. Non-sectarian. Frank E. Brown, Coach. Tom Walters, Mgr. 1913-14. George Walters, Mgr. 1914-15.

Triangular—Grinnell College, Grinnell, Ia., and Univ. of S. Dakota, Vermillion. Three on teams. Date—March 13, 1914. Question—Resolved, that the provision of the Panama Canal act exempting our coastwise vessels from tolls should be repealed. Decisions—At Des Moines, Drake Affirmative 5, Univ. of S. Dakota 0. At Grinnell, Grinnell Affirmative 3, Drake 2. At Vermillion, Univ. of S. Dakota Affirmative 5, Grinnell 0.

Grinnell College. Grinnell. Non-sectarian. No report 1914.

Triangular—Drake University, Des Moines, Ia., and Univ. of S. Dakota, Vermillion. (See Drake above.)

Annual Debate—Yankton College, Yankton, S. Dak. (See Yankton, S. Dak.)

Highland Park College. Des Moines. Presbyterian. H. M. Mumford, Coach and Manager.

Dual Debate—Iowa State Teachers' College, Cedar Falls. Three on teams. Date—Dec. 12, 1913. Question—Resolved, that state commissions should be established having the power to fix the rates and prescribe the services of public utilities. Decisions—At Des Moines, Highland Park Affirmative 3, Iowa Teachers' 0. At Cedar Falls, Iowa Teachers' Affirmative 3, Highland Park 0.

Dual Debate—Leander Clark College, Toledo, Ia. Three on teams. Date—March 13, 1914. Question—Resolved, that a minimum wage should be established by state boards. Decisions—At Des Moines, Highland Park Affirmative 3, Leander Clark Negative 0. At Toledo, Leander Clark Affirmative 0, Highland Park Negative 3.

Triangular—(Girls' League)—Simpson College, Indianola, Ia., and Central University, Pella, Ia. Three on teams. Date—April 7, 1914. Question—Resolved, that a minimum wage should be established by state boards. Decisions—At Des Moines, Highland Park Affirmative 1, Central 2. At Indianola, Simpson Affirmative 2, Highland Park Negative 1. At Pella—No report.

Iowa State College. Ames. Non-sectarian. Delta Sigma Rho.

Prof. A. C. MacMurray, Coach 1913–14. President of Forensic League manages. No report 1914.

Triangular—Kansas State Agricultural College, Manhattan, Kans., and Univ. of S. Dakota, Vermillion. See Kansas Agricultural College.

Dual Debate—Michigan Agricultural College. (See under Michigan.)

Iowa State Teachers' College. Cedar Falls. Non-sectarian. Delta Sigma Rho. John Barnes, Coach and Manager.

Dual Debate—Highland Park College, Des Moines. (See Highland Park above.)

Triangular—Coe College, Cedar Rapids, Ia., and Morningside College, Sioux City, Ia. Three on teams. Date—March 27, 1914. Question—Resolved, that boards having the power to fix minimum wage scales should be established in the various states. Decisions—At Cedar Falls, Teachers' Affirmative 1, Morningside College 2. At Cedar Rapids, Coe College Affirmative 3, Iowa Teachers' 0. At Sioux City, Morningside Affirmative 3, Coe College 0.

Iowa Wesleyan College. Mt. Pleasant. Methodist Episcopal. Pi Kappa Delta. E. A. Fimmen, Coach. Manager 1913–14, Bert L. Jordan.

Annual Sophomore Debate—Monmouth College, Monmouth, Illinois. Three on teams. Date—May 1, 1914. Place—Mt. Pleasant. Question—Resolved, that the issuing of injunctions by federal courts in cases of strikes and labor disputes should be prohibited. Decision—Iowa Wesleyan Affirmative 1, Monmouth Negative 2.

Dual Debate—Knox College Freshmen, Galesburg, Ill. Three on team. Date—May 7, 1914. Question—Resolved, that the railroads of the United States should be owned and operated by the federal government. Decisions—At Mt. Pleasant, Iowa Wesleyan Affirmative 3, Knox Negative 0. At Galesburg, Knox Affirmative 1, Iowa Wesleyan 2.

Triangular—Simpson College, Indianola, Ia., and Upper Iowa College, Fayette, Ia. Three on teams. Date—March 20, 1914. Question—Resolved, that, when a state court declares a measure unconstitutional, upon a vote of the people taken by referendum, the measure shall become a law of the state.

Decisions—At Mt. Pleasant, Iowa Wesleyan Affirmative 1, Simpson Negative 2. At Fayette, Upper Iowa Affirmative 2, Iowa Wesleyan Negative 1. At Indianola—No report.

Leander Clark College. Toledo. United Brethren. Ross Masters, Coach. No report 1914.

Dual Debate—Highland Park College. (See Highland Park above.

Triangular—Penn College, Oskaloosa, Ia., and Parsons College, Fairfield, Ia. (See Parsons and Penn below.)

Luther College. Decorah. Lutheran. No report 1914.

Annual Debate—Gustavus Adolphus College, St. Peter, Minn. (See under Minnesota.)

Morningside College. Sioux City. Methodist. Charles A. Marsh, Coach and Manager.

Triangular—Coe College, Cedar Rapids, and Iowa State Teachers' College, Cedar Falls. (See Iowa Teachers' College above.)

Parsons College. Fairfield. Presbyterian. Prof. Hedges, E. E. Watson, Coach and Manager.

Triangular—Penn College, Oskaloosa, and Leander Clark College, Toledo. Two on teams. Date—February 22, 1914. Question—Resolved, that the policy of fixing a minimum wage by state governments is desirable. Decisions—At Fairfield, Penn College Affirmative 1, Parsons Negative 2. At Toledo, Parsons Affirmative 1, Leander Clark Negative 2. At Oskaloosa, Leander Clark Affirmative 0, Penn Negative 3.

Penn College. Oskaloosa. Friends. H. L. Morris, Coach and Manager.

Triangular—Leander Clark College, Toledo, and Parsons College, Fairfield. (See Parsons College above.)

Simpson College. Indianola. Levi P. Goodwin, Coach. No report 1914.

Triangular—Iowa Wesleyan, Mt. Pleasant, and Upper Iowa College, Fayette. (See Iowa Wesleyan above.)

Triangular—(Girls)—Highland Park College, Des Moines, and Central University, Pella. (See Highland Park College above.)

University of Iowa. Iowa City. Non-sectarian. Delta Sigma Rho. No report 1914.

Pentangular—Iowa met Illinois and Nebraska. Three on teams.

Date—Dec. 12, 1913. Question—Resolved, that Immigration into the United States should be further restricted by means of a literacy test. Decisions—At Iowa City, Iowa Affirmative 0, Nebraska Negative 3. At Urbana, Illinois Affirmative 1, Iowa Negative 2.

Upper Iowa College. Fayette. Methodist Episcopal. No report 1914.

Triangular—Iowa Wesleyan, Mt. Pleasant, and Simpson College, Indianola. (See Iowa Wesleyan.)

KANSAS

Baker University. Baldwin. Methodist. Prof. Alfred E. Leach, Coach. Secretary of Debate Council manages.

Triangular—Washburn College, Topeka, Kansas, and Nebraska Wesleyan, University Place, Nebr. Three on teams. Date—Feb. 27, 1914. Question—Resolved, that through appropriate legislation a minimum wage scale should be put in operation in the United States. Decisions—At Baldwin, Washburn Affirmative 0, Baker Negative 3. At University Place, Baker University Affirmative 2, Nebraska Wesleyan 1. At Topeka—No report. Debate probably was not held 1914.

Bethany College. Lindsborg, Kansas. Lutheran. Prof. P. H. Pearson, Coach. Sec. Oratory and Debate Council manages.

Annual Debate—Augustana College, Rock Island, Ill. Three men teams. Date—April 27, 1914. Place—Lindsborg, Kans. Question—Resolved, that the recall should be applied to the state judiciary. Decision—2 to 1 for Bethany Affirmative.

Bethel College. Newton. No report 1914.

Annual Debate—Cooper College, Sterling, Kans. Two on teams. Date—March 27, 1914. Place—Newton. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decision—Bethel Affirmative 1, Cooper Negative 2.

Annual Debate—McPherson College, McPherson, Kans. Two on teams. Date—April 21, 1914. Place, Newton. Question—Resolved, that immigration into the United States should be

further restricted by a literacy test. Decision—McPherson Affirmative 0, Bethel Negative 3.

College of Emporia. Emporia. Presbyterian. No report 1914.

Triangular—Ottawa University, Ottawa, Kans., and Southwestern University, Winfield, Kansas. See Ottawa or Southwestern.

Cooper College. Sterling. United Presbyterian. S. A. Wilson, Coach.

Annual Debate—McPherson College, McPherson, Kans. Two on team. Date—April 3, 1914. Place—McPherson. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decision—Cooper Affirmative 0, McPherson Negative 3.

Dual Debate—Friends University, Wichita, Kans. Two girls on team. (Girls' Debate.) Date—April 17, 1914. Question—Resolved, that the state legislature should establish a minimum wage board to fix a minimum wage to be paid to women. Decision—At Sterling, Cooper Affirmative 2, Friends Negative 1. At Wichita, Friends Affirmative 2, Cooper Negative 1.

Annual Debate—Kansas City University, Kansas City. Two on team. Date—April 24, 1914. Place—Sterling. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decision—K. C. Affirmative 2, Cooper Negative 1.

Annual Debate—Bethel College, Newton. (See Bethel College above.)

Fairmount College. Wichita. Congregational. Clyde C. Harbison, Coach. Ernest Mahannah, Mgr. 1913–14. Kenneth Cassidy, Mgr. 1914–15.

Annual Debate—Kansas State Agricultural College, Manhattan. Three on team. (Women's Debate.) Date—April 10, 1914. Place—Manhattan. Question—Resolved, that through appropriate legislation a minimum wage scale should be put in operation in the United States. Decision—K. S. A. C. Affirmative 3, Fairmount 0.

Annual Debate—Kansas Wesleyan University, Salina. Three on team. (Woman's debate.) Date—April 17, 1914. Place—Wichita. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in

the United States. Decision—Fairmount Affirmative 2, Kansas Wesleyan Negative 1.

Triangular—Phillips University, Enid, Okla., and Friends University, Wichita, Kans. Three on team. Date—April 24, 1914. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in the United States. Decisions—At Fairmount, Wichita, Fairmount Affirmative 1, Friends Negative 2. At Enid, Phillips Univ. Affirmative 2, Fairmount 1. At Friends, Wichita, Friends Affirmative 3, Phillips University 0.

Friends University. Wichita. Friends. W. J. Reagan, Coach. 526 S. Millwood. Gervas A. Carey, Mgr. 1913–14.

Annual Debate—Oklahoma Methodist University, Guthrie. Three on team. Date—April 14, 1914. Place—Guthrie. Question—Resolved, that Hobson's proposed amendment to the federal constitution is the proper method to secure the prohibition of the liquor traffic. Decision—Oklahoma Methodist Affirmative 2, Friends Negative 1.

Dual Debate—Cooper College, Sterling, Kansas. (See Cooper College above.)

Triangular—Fairmount College, Wichita, Kansas, and Phillips University, Enid, Okla. (See Fairmount College above.)

Kansas State Agricultural College. Manhattan. Non-sectarian. Pi Kappa Delta. J. W. Searson, Carl Ostrum, Coaches. J. W. Searson, Mgr.

Annual Debate—Fairmount College, Wichita. (Girls' Debate.) (See Fairmount College above.)

Dual Debate—Washburn College, Topeka. Three on teams. April 6, 1914. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in the United States. Decisions—At Topeka, Washburn Affirmative 3, Negative K. S. A. C. 0. At Manhattan, K. S. A. C. Affirmative 2, Washburn Negative 1.

Triangular—Iowa State College, Ames, and Univ. of S. Dakota, Vermillion. Three on team. Date—November 14, 1913. Question—Resolved, that the United States should grant independence to the Philippine Islands. Decisions—At Manhattan, K. S. A. C. Affirmative 2, Iowa State Negative 1. At Vermillion, Univ. of S. Dakota Affirmative 2, K. S. A. C.

Negative 1. At Ames, Iowa State Affirmative 1, Univ. of S. Dakota Negative 2.

Triangular—Colorado State Agricultural, Ft. Collins, and Oklahoma Agricultural and Mechanical College, Stillwater. Two on teams. Date—March 20, 1914. Question—Resolved, that the tolls of the Panama Canal should be the same for merchant vessels of all nations. By the term merchant vessels all except ships of war are meant. Decisions—At Manhattan, K. S. A. C. Affirmative 3, Colorado Negative 0. At Stillwater, Oklahoma A. & M. 2, K. S. A. C. Negative 1. At Ft. Collins, Colorado Affirmative 3, Oklahoma A. & M. Negative 0.

Kansas State Normal. Emporia. Non-sectarian. No report, 1914.

Dual Debate—Northwestern State Normal, Alva, Oklahoma. (See Oklahoma.)

Kansas Wesleyan University. Salina. Methodist. J. W. Heckert, Coach and Manager.

Annual Debate—Ottawa University, Ottawa, Kansas. Two men on team. Date—March 20, 1914. Place—Salina. Question—Resolved, that municipalities should own and control their natural monopolies. Decision—Affirmative Kansas Wesleyan 2, Ottawa University 1.

Annual Debate—Fairmount College, Wichita. Kansas. (See Fairmount College.)

Annual Debate—University of Denver, Denver, Colo. Two on teams. Date—April 17, 1914. Place—Salina, Kans. Question—Resolved, that the Monroe Doctrine as it has been applied should be abandoned. Decision—Kansas Wesleyan Negative 3 to 0.

McPherson College. McPherson. E. F. Long, Coach. Harley Nelson, Mgr. 1913–14.

Annual Debate—Cooper College, Sterling, Kansas. (See Cooper College above.)

Annual Debate—Bethel College, Newton, Kansas. (See Bethel above.)

Ottawa University. Ottawa. Baptist. Pi Kappa Delta. C. O. Hardy, Coach. Cecil Coad, Mgr. 1913–14.

Annual Debate—Kansas Wesleyan University, Salina, Kans. (See Kansas Wesleyan above.)

Annual Debate—(Girls)—Washburn College, Topeka, Kans. Three on teams. Debate—Mar. 19, 1914. Place—Topeka. Question—Resolved, that there should be compulsory federal arbitration in disputes arising between employees and employers. Constitutionality waived. Decision—Washburn Negative 2 to 1.

Annual Debate—Park College, Parkville, Mo. Three on teams. Date—April 6, 1914. Place—Ottawa. Question—Resolved, that the state judiciary of the United States should be subject to the popular recall. Decision—Ottawa Negative 2 to 1.

Triangular—College of Emporia, Emporia, Kans., and Southwestern College, Winfield, Kans. Three on teams. Date—May 8, 1914. Question—Resolved, that the state judiciary of the United States should be subject to popular recall. Decisions—At Ottawa, Ottawa Affirmative 1, Emporia Negative 2. At Winfield, Southwestern Affirmative 2, Ottawa Negative 1. At Emporia, Emporia Affirmative 1, Southwestern Negative 2.

Southwestern College. Winfield. Methodist. Albert J. McCulloch, Coach. J. F. Groom, Mgr. 1913–14. R. C. Baker, Mgr. 1914–1915.

Annual Debate—Park College, Parkville, Mo. Three on teams. Date—April 7, 1914. Place—Winfield. Question—Resolved, that the state judiciary of the United States should be subject to popular recall. Decision—Southwestern Negative 3 to 0.

Triangular—College of Emporia, Emporia, Kans., and Ottawa University, Ottawa, Kans. (See Ottawa University above.)

University of Kansas. Lawrence. Non-sectarian. Delta Sigma Rho. Howard T. Hill, 1135 Tennessee St., Coach. Harold F. Mattoon, 839 Mississippi St., Mgr. 1913–14.

Annual Debate—University of Missouri, Columbia. Two on teams. Date—April 28, 1914. Place—Lawrence, Kans. Question—Resolved, that immigration into the United States should be further restricted by applying to all immigrants a literacy test requiring the ability to read ordinary prose in at least one language or dialect. Decision—Univ. of Kansas Negative 2 to 1.

Triangular—Colorado and Oklahoma Universities at Boulder and Norman. Three on teams. Date—April 8, 1914. Question—Resolved, that the several States should adopt a unicameral form of legislature. Decisions—At Lawrence, Kansas Affirmative 3, Colorado Negative 0. At Norman, Oklahoma Affirmative 2, Kansas Negative 1. At Boulder, Colorado Affirmative 0, Oklahoma Negative 3.

Washburn College. Topeka. Non-sectarian. Pi Kappa Delta. E. D. Schonberger, Coach.

Annual Debate—Baker University, Baldwin, Kans. Three on teams. Date—February 27, 1914. Place—Baldwin. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in the United States. Decision—Baker Negative 3 to 0.

Annual Debate—Ottawa University, Ottawa, Kans. (Girls.) (See Ottawa above.)

Annual Debate—William Jewell College, Liberty, Mo. Three on teams. Date—April 3, 1914. Place—Liberty, Mo. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in the United States. Decision—Wm. Jewell Negative 3 to 0.

Annual Debate—Park College, Parkville, Mo. Three on teams. Date—April 7, 1914. Place—Parkville, Mo. Question—Resolved, that all corporations doing an interstate business should be required to secure a federal charter. Decision—Park Affirmative 3 to 0.

Dual Debate—Kansas Agricultural College, Manhattan, Kansas. (See Kansas Agricultural College above.)

LOUISIANA

Louisiana State University. Baton Rouge. Non-sectarian. Tau Kappa Alpha. Prof. J. Q. Adams, Coach. 623 Lafayette St.

Pentangular—Universities of Arkansas, Texas, Tennessee, Mississippi. Louisiana met Texas and Tennessee. Two on teams. Date—April 3, 1914. Question—Resolved, that the President of the United States should be elected for a term of six years and be ineligible for re-election. Decision—

At Baton Rouge, Louisiana Affirmative 0, Texas Negative 3. At Knoxville, Tenn., Tennessee Affirmative 2, Louisiana 1.

Tulane University. New Orleans. Non-sectarian. Nicholas Callan, Coach., 1712 Baronne St. Herman Barnett, Mgr. 1913–14.

Annual Debate—University of Pennsylvania, Philadelphia. Two on teams. Date—February 18, 1914. Place—Philadelphia. Question—Resolved, that the states should enforce a minimum wage of eight dollars per week for women and six dollars a week for children. It is agreed that these amounts represent a fair standard of life. Decision—Tulane Affirmative 2, Univ. of Pa. Negative 1.

Annual Debate—University of Washington and Lee, Lexington, Va. Two on teams. Date—March 15, 1914. Place—New Orleans. Question—Resolved, that the state should enforce a minimum wage of eight dollars per week for women and six dollars per week for children. It is agreed that these amounts represent a fair standard of life. Decision—Tulane Affirmative 0, Washington and Lee Negative 3.

MAINE

Bates College. Lewiston. Non-sectarian. S. R. Oldham, Coach, 10 Frye St. No report 1914.

Bowdoin College. Brunswick. Non-sectarian. Wm. Hawley Davis, Prof. of English in charge. R. E. Simpson, Mgr. 1913–4.

Triangular—Hamilton College, Clinton, New York, and Wesleyan University, Middletown, Conn. Three on teams. Date—April 28, 1914. Question—Resolved, that a federal commission should be established for the regulation of trusts. Decisions—At Brunswick, Bowdoin Affirmative 2, Wesleyan Negative 1. At Clinton, Hamilton Affirmative 3, Bowdoin Negative 0. At Middletown, Wesleyan Affirmative 2, Hamilton Negative 1.

MARYLAND

Johns Hopkins University. Baltimore. Non-sectarian. John C. French, Coach. Thomas J. Quigley, Mgr. 1913–14.

Triangular—Universities of Virginia and North Carolina at Charlottesville, and Chapel Hill. Two on teams. Date—April 18, 1914. Question—Resolved, that the political interests of the United States demands the abandonment of the Monroe Doctrine. Decisions—At Baltimore, Virginia Affirmative 3, N. Carolina Negative 2. At Charlottesville, North Carolina Affirmative 0, Johns Hopkins Negative 5. At Chapel Hill, Johns Hopkins 4, Negative, Virginia 1.

MASSACHUSETTS

Amherst College. Amherst. Non-sectarian. John Corsa, Coach. No report 1914.

Triangular—Wesleyan University, Middletown, Conn., and Williams College, Williamstown, Mass. No report.

Boston College. Boston. Roman Catholic. Wm. F. McFadden, Coach. Thomas J. Donnelly, Mgr. 1913–14. No report 1914.

Clark College. Worcester. Non-sectarian. Dr. F. H. Hawkins, faculty member in charge.

Annual Debate—Colgate University, Hamilton, N. Y. Three on teams. Date—April 24, 1914. Place—Worcester. Question—Resolved, that the Monroe Doctrine should no longer form a part of the permanent foreign policy of the United States. Decision—Colgate Affirmative 0, Clark Negative 3.

Annual Debate—Massachusetts Agricultural College, Amherst. Three on teams. Date—May 1, 1914. Place—Worcester. Question—Resolved, that the Philippines should be granted immediate independence. Decision—Mass. A. C. Affirmative 0, Clark Negative 3.

Harvard University. Cambridge. Non-sectarian. Delta Sigma Rho. A. P. Stone, 27 State St., Boston, Coach. A. N. Levin, Mgr. 1913–14. R. J. White, Mgr. 1914–15.

Triangular—Yale and Princeton universities. Three on teams. Date—March 27, 1914. Question—Resolved, that the women of the United States should be given the suffrage on equal terms with men. Decisions—At Cambridge, Princeton Af-

firmative 0, Harvard Negative 3. At New Haven, Harvard Affirmative 0, Yale Negative 3. At Princeton, Yale Affirmative lost to Princeton.

Triangular—Freshmen—Yale and Princeton universities. No report 1914.

Holy Cross. Worcester. Catholic. Frederick H. Keaney, Coach. No report 1914.

Williams College. Williamstown. Non-sectarian. Prof. Lewis Perry in charge. Pres. Forensic manages. No report 1914.

Triangular—Brown University, Providence, R. I., and Dartmouth College, Hanover, N. Hamp. No report.

Triangular—Amherst College, Amherst, Mass., and Wesleyan University, Middletown, Conn. No report.

MICHIGAN

Albion College. Albion. Methodist Episcopal. Delta Sigma Rho. Prof. P. H. Hembat, Coach. Harry A. Brewer, Mgr. 1913–14.

Annual Debate—Beloit College, Beloit, Wis. Three on teams. Date—Jan. 16, 1914. Place—Beloit. Question—Resolved, that immigration into the United States should be further restricted. Decision—Beloit Affirmative 2, Albion Negative 1.

Annual Debate—Earlham College, Richmond, Ind. Three on teams. Date—February 13, 1914. Place—Albion. Question—Resolved, that immigration into the United States should be restricted. Decision—Albion Affirmative 3, Earlham 0.

Annual Debate—Lawrence College, Appleton, Wis. Three on team. Date—March 4, 1914. Place—Albion. Question—Resolved, that in labor disputes no injunctions should be issued other than against intimidation or acts of violence against physical property. Decision—Albion Affirmative 1, Lawrence Negative 2.

Annual Debate—Butler College, Indianapolis, Ind. Three on teams. Date—March 27, 1914. Place—Indianapolis. Question—Resolved, that the open shop industrial policy is justified. Decision—Butler Affirmative 1, Albion Negative 2.

Adrian College. Adrian. Methodist Protestant. Miss Edwinea Windrem, Coach. H. L. Kingsley, Mgr. 1913–15.

Dual Debate—Michigan State Normal Ypsilanti. Three on teams. Date—Jan 22, 1914. Question—Resolved, that California was justified in passing the Webb Act restricting the property rights of the Japanese in that State. Decision—At Adrian, Adrian Affirmative 0, M. S. N. C. 3. At Ypsilanti, M. S. N. C. Affirmative 2, Negative, Adrian 1.

Alma College. Alma. Presbyterian. No report 1914.

Triangular—Olivet College, Olivet, Mich., and Hope College, Holland, Mich. (See Hope College and Olivet College below.)

Hillsdale College. Hillsdale. Non-sectarian. Gordon L. Cave, Coach. Fremont Burger, Mgr. 1913–14.

Annual Debate—Kalamazoo College, Kalamazoo, Mich. Three on team. Date—April 24, 1914. Place—Hillsdale. Question—Resolved, that the states should adopt a schedule of minimum wage for unskilled labor. Constitutionality conceded. Decision—Kalamazoo Affirmative 0, Hillsdale Negative 3.

Hope College. Holland. Reform of America. Prof. J. B. Nykerk, Coach. John Tillema, Mgr. 1913–14. John De Boer, Mgr. 1914–15.

Triangular—Alma College, Alma, Mich., and Olivet College, Olivet, Mich. Three on teams. Date—April 10, 1914. Question—Resolved, that the federal government should own and operate the railroads. Decision—At Holland, Hope Affirmative 2, Alma Negative 1. At Olivet, Olivet Affirmative 3, Hope Negative 0. At Alma, Alma Affirmative 2, Olivet Negative 1.

Kalamazoo College. Kalamazoo. Baptist. E. J. MacEwan, Eng. Dept., in charge. President of Sherwood Literary Society manages.

Annual Debate—Hillsdale College, Hillsdale. (See Hillsdale above.)

Michigan Agricultural College. Lansing. Non-sectarian. W. S. Bittner, C. B. Mitchell, Coaches. H. P. Henry, Mgr. 1913–14.

Dual Debate—Iowa State College, Ames. Three on teams. Date

—March 13, 1914. Question—Resolved, that the states should establish a schedule of minimum wage for unskilled labor. Constitutionality conceded. Decisions—At Lansing, M. A. C. Affirmative 0, Iowa State 3. At Ames, Iowa State Affirmative 3, M. A. C. 0.

Dual Debate—Purdue University, Lafayette, Indiana. Three on Teams. Date—April 24, 1914. Question—Resolved, that the states should enact laws for the compulsory insurance of workingmen against injury and death through accidents in the course of employment. Constitutionality conceded. Decisions—At Lansing, M. A. C. Affirmative 3, Purdue 0. At Lafayette, Purdue Affirmative 2, M. A. C. 1.

Michigan State Normal. Ypsilanti. Non-sectarian. F. B. McKay, Coach. Harold A. Hendershot, Mgr. 1913–14.

Dual Debate—Adrian College, Adrian. (See Adrian College above.)

Dual Debate—Olivet College, Olivet, Mich. Three on teams. Date—May 1, 1914. Question—Resolved, that the government should own and operate the railroads of the United States. Decisions—At Ypsilanti, Olivet Affirmative 2, State Normal 1. At Olivet, State Normal Affirmative 1, Olivet Negative 2.

Olivet College. Olivet. Non-sectarian. Dr. Thomas W. Nadal, Eng. Dept., Coach and Manager:

Dual Debate—State Normal, Ypsilanti. (See Michigan State Normal immediately above.)

Triangular—Alma College, Alma, and Hope College, Holland. (See Hope College above.)

University of Michigan. Ann Arbor. Non-sectarian. Delta Sigma Rho. Thomas C. Trueblood, Dept. of Public Speaking, in charge.

Triangular—Northwestern University, Evanston, Ill., and University of Chicago, Chicago, Ill. Three on teams. Date—Jan. 16, 1914. Question—Resolved, that the states should establish a schedule of minimum wage for unskilled labor. Constitutionality conceded. Decisions—At Ann Arbor, Michigan Affirmative 1, Northwestern Negative 2. At Chicago, University of Chicago 3, Michigan Negative 0.

MINNESOTA

Carleton College. Northfield. Non-sectarian. Delta Sigma Rho. I. M. Cochran, Coach and Mgr.

Triangular—Ripon College, Ripon, Wis., and S. Dakota Wesleyan, Mitchell, S. Dak. Three on teams. Date—April 24, 1914. Question—Resolved, that State judges should be subject to recall by the people. Decisions—At Northfield, Carleton Affirmative 3, Ripon Negative 0. At Mitchell, S. Dakota, Affirmative 0, Carleton Negative 3. At Ripon, Ripon Affirmative 3, S. Dakota Wesleyan 0.

Gustavus Adolphus College. St. Peter. Lutheran. No Coach. Amil Johnson, Mgr. 1913–14. E. Anton Jacobsen, Mgr. 1914–15.

Annual Debate—Luther College, Decorah, Ia. Three on team. Date—Mar. 30, 1914. Place—St. Peter. Question—Resolved, that the United States should further restrict immigration by enacting into law the literacy test recommended by the Immigration Commission in 1911. Decision—Gustavus Adolphus Affirmative 3 to 0.

Hamline University. St. Paul. Methodist Episcopal. Don D. Lescohier, Coach. No report 1914.

Triangular—Macalester College, St. Paul, and St. Olaf College, Northfield. (See Macalester below.)

Macalester College. St. Paul. Presbyterian. Prof. Glenn Clark, Coach. 1787 Goodrich Ave., St. Paul. E. Clark, Mgr. 1913–14. G. A. Collins, Mgr. 1914–15.

Triangular—Hamline University, St. Paul, and St. Olaf College, Northfield. Three on teams. Date—March 5, 1914. Question—Resolved, that immigration into the United States should be further restricted by law. "Further restricted" to be defined as a substitutional and additional restriction. Decisions—At Macalester, St. Paul, Macalester Affirmative 1, Hamline Negative 2. At Northfield, St. Olaf Affirmative 3, Macalester 0. At Hamline, St. Paul, Hamline University Affirmative 1, St. Olaf Negative 2.

St. Olaf College. Northfield. Lutheran. No Coach. Prof. George H. Spohn, Mgr. 1913–14. Prof. P. G. Schmidt, Mgr. 1914–15

Triangular—Hamline University and Macalester College, St. Paul. (See Macalester above.)

University of Minnesota. Minneapolis. Non-sectarian. Delta Sigma Rho. Haldor B. Gilason, Coach. Debate Board manages.

Pentangular—Illinois, Iowa, Minnesota, Nebraska, and Wisconsin universities. Minnesota met Nebraska and Wisconsin. Three on teams. Date—Dec. 12, 1913. Question—Resolved, that immigration should be further restricted by means of a literacy test. Decisions—At Minneapolis, Minnesota Affirmative 1, Wisconsin Negative 2. At Lincoln, Nebraska Affirmative 2, Minnesota Negative 1.

MISSISSIPPI

University of Mississippi. Oxford. Non-sectarian. No report 1914.

Pentangular—Universities of Arkansas, Louisiana, Mississippi, Texas and Tennessee. No report.

MISSOURI

Central College. Fayette. Methodist Episcopal. H. G. Townsend, Coach. Paul Herzog, Mgr. 1913–14. Charles B. Flow, Mgr. 1914–15.

Triangular—Missouri Valley College, Marshall, and Westminster College, Fulton. Three on teams. Date—April 24, 1914. Question—Resolved, that United States coastwise vessels should be exempt from Panama Canal tolls. Decisions—At Fayette, Central Affirmative 0, Westminster Negative 3. At Marshall, Missouri Valley Affirmative 2, Central Negative 1. At Fulton, Westminster Affirmative 2, Mo. Valley Negative 1.

Drury College. Springfield. Non-sectarian. No report 1914.

Annual Debate—Washington University, St. Louis, Mo. (See Washington Univ. below.)

Missouri Valley College. Marshall. Presbyterian. No Coach. E. J. Hendrix, Mgr. 1913–15.

Triangular—Central College, Fayette, and Westminster College, Fulton. (See Central College above.)

Park College. Parkville. Non-sectarian. J. H. Lawrence, Coach. No report 1914.

Annual Debate—Ottawa University, Ottawa, Kansas. (See under Kansas.

Annual Debate—Southwestern College, Winfield, Kansas. (See under Kansas.)

Annual Debate—Washburn College, Topeka, Kansas. (See under Kansas.)

University of Missouri. Columbia. Non-sectarian. Delta Sigma Rho. Frederick M. Tisdel, Asst. Prof. of English, in charge. No report.

Annual Debate—Kansas University. (See under Kansas.)

Triangular—Texas and Colorado Universities. (See under Colorado and Texas.)

Washington University. St. Louis. Non-sectarian. Arthur Dunham, Coach-Mgr. 1913–14. No regular Coach. R. G. Usher, Chr. Fac. Com. on Debate.

Annual Debate—Drury College, Springfield. Three on team. Date—May 1, 1914. Place—Springfield. Question—Resolved, that the commission form of municipal government should be adopted in the United States by cities of over 300,000 population. Decision—Drury Affirmative 3 to 0.

Westminster College. Fulton. Presbyterian. No report 1914.

Triangular—Central College, Fayette, and Missouri Valley College, Marshall. (See Central College above.)

William Jewell College. Liberty. Baptist. Dr. Elmer C. Griffith, Coach. Chas. S. Billings, Mgr. 1913–14.

Annual Debate—Washburn College, Topeka, Kansas. Three on teams. Date—April 3, 1914. Place—Liberty. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in the United States. Constitutionality granted. Decision—William Jewell Affirmative 3 to 0.

Annual Debate—Monmouth College, Monmouth, Ill. Three on teams. Date—April 24, 1914. Place—Monmouth. Question—Resolved, that the federal government should conduct the express business of the country. Constitutionality waived. Decision—Monmouth Negative 3 to 0.

Annual Debate—Nebraska Wesleyan University, University Place,

Nebr. Three men teams. Date—April 29, 1914. Place—Liberty. Question—Resolved, that through appropriate legislation a minimum wage scale should be put into operation in the United States. Decision—William Jewell Affirmative 3 to 0.

MONTANA

Montana State College. Bozeman. Non-sectarian. Irwin T. Gilruth, Coach. A. P. Thompson, Mgr. 1913–15.

Triangular—Gonzaga University, Spokane, Wash., and University of Montana, Missoula. Two on teams. Date—March 13, 1914. Question—Resolved, that the United States should grant independence to the Philippine Islands in 1920 and guarantee this independence for a period of ten years thereafter. Decisions—At Bozeman, Montana State College Affirmative 1, Gonzaga University Negative 2. At Missoula, Univ. of Montana Affirmative 2, Montana State College Negative 1. At Spokane, Gonzaga University Affirmative 0, Univ. of Montana Negative 3.

University of Montana. Missoula. Non-sectarian. Tau Kappa Alpha. Prof. Carl Holliday, Coach. Gordon Watkins, Mgr. 1913–14.

Annual Debate—University of Utah, Salt Lake City. Three on teams. Date—February 13, 1914. Place—Salt Lake City. Question—Resolved, that immigration to the United States of all unskilled laborers of the Slavonic, Italian, and Hellenic races of Eastern and Southeastern Europe should be prohibited. Decisions—University of Montana Affirmative 3 to 0.

Triangular—Gonzaga University, Spokane, Wash., and Montana State College, Bozeman. (See Montana State College immediately above.)

NEBRASKA

Bellevue College. Bellevue. Non-sectarian. No report 1914.

Triangular—Cotner College, Bethany, and Doane College, Crete, Nebr. (See Cotner College immediately below.)

Cotner College. Bethany. Christian. No Coach 1913–14. Peter B. Cope, Mgr. 1913–14.

Triangular—Bellevue College, Bellevue, and Doane College,

Crete. Three on teams. Date—March 20, 1914. Question—Resolved, that in American municipalities of 25,000 or over a tax on the rental value of land exclusive of improvements should be substituted for the general property tax. Decisions—At Bethany, Cotner Affirmative 0, Bellevue Negative 3. At Crete, Doane Affirmative 1, Cotner Negative 2. At Bellevue, Bellevue Affirmative 0, Doane Negative 3.

Doane College. Crete. Congregational. Prof. J. E. Taylor, Coach. Ralph B. Noyce, Mgr. 1913–14.

Triangular—Bellevue College, Bellevue, and Cotner College, Bethany. (See Cotner College immediately above.)

Nebraska Wesleyan University. University Place. Methodist. Pi Kappa Delta. Prof. E. H. Wells, Coach. Cecil F. Laverty, Mgr. 1913–14. Winthrop Lane, Mgr. 1914–15.

Annual Debate—Baker University, Baldwin, Kansas. Three on teams. Date—Feb. 27, 1914. Place—University Place, Nebr. Question—Resolved, that through appropriate legislation a minimum wage scale should be established in the United States. Decision—Baker Affirmative 2 to 1.

Annual Debate—Yankton College, Yankton, S. Dak. Three on teams. Date—April 24, 1914. Place—University Place, Nebr. Question—Resolved, that immigration into the United States should be further restricted by means of the literacy test. Decision—Yankton Negative 3 to 0.

Annual Debate—William Jewell College, Liberty, Mo. Three on teams. Date—April 29, 1914. Place—Liberty, Mo. Question—Resolved, that through appropriate legislation a minimum wage scale should be put in operation in the United States. Decision—William Jewell Affirmative 3 to 0.

University of Nebraska. Lincoln. Non-sectarian. Delta Sigma Rho. Phi Alpha Tau. M. M. Fogg, Prof. of Rhetoric, in charge. H. W. Hess, Mgr. 1913–14.

Pentangular—Universities of Illinois, Iowa, Minnesota, Nebraska, and Wisconsin. Nebraska met Iowa and Minnesota. Three on teams. Date—Dec 12, 1914. Question—Resolved, that immigration into the United States should be further restricted by means of a literacy test. Decisions—At Lincoln, Nebraska Affirmative 2, Minnesota Negative 1. At Iowa City, Iowa Affirmative 0, Nebraska Negative 3.

NEVADA

University of Nevada. Reno. Non-sectarian. A. E. Turner, Coach. T. L. Withers, Mgr. 1913–14. J. I. Cazier, Mgr. 1914–15.

Annual Debate—Brigham Young University, Provo, Utah. Two on teams. Date—April 10, 1914. Place—Reno. Question—Resolved, that the United States shall exempt vessels engaged in coastwise trade passing through the Panama Canal from toll charges; the right of the United States to discriminate conceded. Decision—Brigham Young Affirmative 3 to 0.

NEW HAMPSHIRE

Dartmouth College. Hanover. Non-sectarian. Delta Sigma Rho. No report 1914.

Triangular—Brown University, Providence, R. I., and Williams College, Williamstown, Mass. No report of these debates.

NEW JERSEY

Princeton University. Princeton. Non-sectarian. Delta Sigma Rho. H. F. Covington, Prof. of Public Speaking, in charge. John M. Colt, Mgr. 1913–14. No report 1914.

Triangular—Harvard and Yale universities. (See under Massachusetts or Connecticut.)

Freshman Triangular—Harvard and Yale Universities. No report 1914.

Rutgers College. New Brunswick. Non-sectarian. Prof. Livingston Barbour, in charge. Forensic Committee manages. No report 1914.

Dual Debate—Lafayette College, Easton, Pa. (See under Pennsylvania.)

NEW MEXICO

New Mexico State College. State College. Non-sectarian. R. M. Wilcox, Coach and Manager.

Annual Debate—University of New Mexico, Albuquerque. Three on teams. Date—March 6, 1914. Place—Albuquerque.

Question—Resolved, that Congress, in its present session, should enact a minimum wage law for women and girls employed in those industries which engage in Interstate Commerce. Constitutionality waived. Decision—State College Affirmative 0, University of N. Mexico 3.

University of New Mexico. Albuquerque. Non-sectarian. Prof. C. E. Bonnett, in charge.

Annual Debate—New Mexico State College, State College. (See immediately above.)

NEW YORK

Colgate University. Hamilton. Non-sectarian. Delta Sigma Rho. Elmer W. Smith, Prof. of Public Speaking, in charge. No report 1914.

Triangular—Ohio Wesleyan University, Delaware, Ohio, and University of Rochester, Rochester, N. Y. (See under Ohio.)

Annual Debate—Clark College, Worcester, Mass. (See Clark, Mass.)

Columbia University. New York City. Non-sectarian. Delta Sigma Rho. No report 1914.

Triangular—Cornell University, Ithaca, and Pennyslvania University, Philadelphia, Pa. (See Cornell below.)

Cornell University. Ithaca. Non-sectarian. Delta Sigma Rho. J. A. Winans, Dept. of Public Speaking, in charge. H. G. Wilson, Mgr. 1913–14.

Annual Debate—Union University, Schenectady. Three on teams. Date—February, 1914. Place—Schenectady. Question—Resolved, that the states should by law require the payment of a minimum wage to women and children employed in industrial and mercantile establishments. Decision—Cornell Affirmative 3 to 0.

Annual Debate—Syracuse University, Syracuse. Three on team. Date—Feb. (?), 1914. Place—Syracuse (?). Question—Resolved, that the states should by law require the payment of a minimum wage to women and children employed in industrial and mercantile establishments. Decision—Syracuse Negative 2 to 1.

Annual Debate—George Washington University, Washington,

D. C. Three on teams. Date—April 11, 1914. Place—. Question—Resolved, that the states should require the payment of a minimum wage to women and children employed in industrial and mercantile establishments. Decision—Cornell Negative 2 to 1.

Triangular—Columbia University, New York City, and Pennsylvania University, Philadelphia. Three on teams. Date—March 6, 1914. Question—Resolved, that the states should require by law the payment of a minimum wage to women and children employed in industrial and mercantile establishments. Decisions—At Ithaca, Cornell Affirmative 0, Columbia Negative 3. At Philadelphia, Pennsylvania Affirmative 1, Cornell Negative 2. At New York City, Columbia Affirmative 0, Pennsylvania Negative 3.

Hamilton College. Clinton. Non-sectarian. No Coach. Prof. Calvin L. Lewis, in charge. Chr. Debate Council manages.

Triangular—Wesleyan University, Middletown, Conn., and Bowdoin College, Brunswick, Me. Three on teams. Date—April 28, 1914. Question—Resolved, that a federal commission should be established for the regulation of trusts. Decisions—At Clinton, Hamilton Affirmative 3, Bowdoin Negative 0. At Middletown, Wesleyan Affirmative 2, Hamilton Negative 1. At Brunswick, Bowdoin Affirmative 2, Wesleyan Negative 1.

Syracuse University. Syracuse. Non-sectarian. Delta Sigma Rho. S. L. Kennedy, Coach. Archie Webster, Mgr. 1913–14.

Annual Debate—Cornell University, Ithaca. (See Cornell above.)

Annual Debate—Pennsylvania University, Philadelphia. Three on teams. Date—Feb. 17, 1914. Place—Syracuse. Question—Resolved, that the states should fix by law a minimum wage for women and child workers, it being agreed that eight dollars and six dollars per week respectively are necessary to maintain a fair standard of living. Decision—Pennsylvania Affirmative 2 to 1.

Dual Debate—Yale University, New Haven, Conn. Three on teams. Date—Dec. 12, 1913. Question—Resolved, that the states should fix by law a minimum wage for women and child workers, it being agreed that eight dollars and six dollars per week respectively are necessary to maintain a

fair standard of living. Decisions—At Syracuse, Syracuse Affirmative 3 to 0. At New Haven, Syracuse Negative 2 to 1.

Union College. Schenectady. Non-sectarian. No report 1914.

Annual Debate—Cornell University, Ithaca. (See Cornell above.)

University of Rochester. Rochester. Non-sectarian. No report 1914.

Triangular—Ohio Wesleyan University, Delaware, O., and Colgate University, Hamilton, N. Y. (See under Ohio.)

NORTH CAROLINA

Davidson College. Davidson. Presbyterian. No Coach. B. Frank Pim, Jr., Mgr. 1913–14. F. W. Price, Mgr. 1914–15.

Annual Debate—University of S. Carolina, Columbia, S. C. Two on teams. Date—Nov. 27, 1913. Place—Charlotte, N. C. Question—Resolved, that the commission form of municipal government should be generally adopted in the United States. Decision—Univ. of S. Carolina Affirmative 2, Davidson Negative 1.

Annual Debate—Wake Forest College, Wake Forest. Two on teams. Date—April 13, 1914. Place—Winston-Salem, N. C. Question—Resolved, that all candidates for elective offices in N. Carolina should be nominated by direct primary modeled after the Wisconsin plan, rather than by the convention system. Decision—Davidson Affirmative 3, Wake Forest Negative 2.

Trinity College. Durham. Methodist Episcopal South. Holland Holton, Coach and Manager.

Annual Debate—Washington and Lee University, Lexington, Va. Three on teams. Date—March 14, 1914. Place—Durham. Question—Resolved, that the states should enforce a minimum wage for women and children sufficient to maintain a fair standard of life. (Constitutionality waived.) Decision—Trinity College Negative 3 to 0.

Annual Debate—University of S. Carolina, Columbia. Three on teams. Date—March 21, 1914. Place—Durham. Question—Resolved, that the United States should maintain a position as one of the three leading naval powers of the world. Decision—Trinity College Affirmative 3 to 0.

University of North Carolina. Chapel Hill. Non-sectarian. No Coach. Debate Union manages. No report 1914.

Triangular—Johns Hopkins University, Baltimore, Md., and Univ. of Virginia, Charlottesville, Va. (See under Maryland.)

Wake Forest College. Wake Forest. Baptist. No Coach. No report 1914.

Annual Debate—Davidson College, Davidson. (See Davidson above.)

NORTH DAKOTA

Fargo College. Fargo. Non-sectarian. Prof. A. E. Fish, Coach. Wm. C. Ecker, Mgr. 1913–14. Prof. A. E. Fish, Mgr. 1914–15.

Triangular—University of N. Dakota, Grand Forks, and University of Manitoba, Winnipeg, Can. Three on teams. Date—February 27, 1914. Question—Resolved, that present immigration from European countries has been, on the whole, detrimental to the best interests of the United States and Canada. Decisions—At Fargo, Fargo Affirmative 3, Univ. of Manitoba 0. At Grand Forks, Univ. of N. Dakota Affirmative 2, Fargo Negative 1. At Winnipeg, University of Manitoba Affirmative 1, Univ. of N. Dakota Negative 2.

North Dakota Agricultural College. Fargo. Non-sectarian. Alfred G. Arvold, Coach.

Annual Debate—University of Manitoba, Winnipeg. Three on teams. Date—Feb. 12, 1914. Question—Resolved, that co-operative credit banks under government control afford the best system yet devised for financing the agricultural industry in the United States and Canada. Decision—

Dual Debate—S. Dakota Agricultural College, Brookings. Three on teams. Date—April 9, 1914. Question—Resolved, that immigration into the United States be further restricted by means of a literacy test. Decision—South Dakota Affirmative 3, N. Dakota 0, at Brookings. At Fargo, N. Dakota, Affirmative 1, S. Dakota Negative 2.

Annual Debate—University of S. California, Los Angeles, Calif. Two on teams. Date—April 9, 1914. Place—Los Angeles, Calif. Question—Resolved, that immigration into the United

States be further restricted by means of a literacy test. Decision—North Dakota State College 2 to 1.

University of N. Dakota. Grand Forks. Non-sectarian. Delta Sigma Rho. John Adams Taylor, Coach. Franklin Page, Mgr. 1913–14.

Triangular—Fargo College, Fargo, and Univ. of Manitoba, Winnipeg. (See Fargo above.)

OHIO

Ashland College. Ashland. Brethren. Prof. L. L. Garber, Coach and Mgr.

Annual Debate—Findlay College, Findlay, Ohio. Two men teams. Date—Dec. 16, 1913. Place—Findlay. Question—Resolved, that cities of the United States having a population of 25,000 or over should own and operate their own street railways. Decision—Ashland Negative 3 to 0.

Annual Debate—Baldwin-Wallace College, Berea, O. Three on teams. Date—April 13, 1914. Place—Ashland. Question—Resolved, that cities of the United States having a population of 25,000 or more should own and operate their own street railways. Decision—Ashland College Affirmative 3 to 0.

Annual Debate—Findlay College, Findlay. Two on teams. Date—May 7, 1914. Place—Ashland. Question—Resolved, that the President should be elected for six years and be ineligible for a second election. Decision—Findlay College Affirmative 2 to 1.

Baldwin-Wallace College. Berea. Methodist Episcopal. No report 1914.

Annual Debate—Ashland College, Ashland. (See above.)

Dual Debate—Hiram College, Hiram. (See Hiram below.)

Denison University. Granville. Baptist. Bunyan Spencer, Coach. A. C. Wickenden, Mgr. 1913–14. Miss Mabel Moore, Mgr. Shepardson College debates, 1913–14.

Triangular—Miami University, Oxford, O., and Ohio University, Athens, O. Three on teams. Date—March 27, 1914. Question—Resolved, that Ohio should establish a schedule of minimum wages for unskilled labor. Constitutionality conceded. Decisions—At Granville, Denison Affirmative 3, Miami Nega-

tive 0. At Athens, Ohio Univ. Affirmative 3, Denison Negative 0. At Oxford, Miami Univ. Affirmative 3, Ohio Univ. Negative 0.

Shephardson College Debates—Dual—Otterbein College, Westerville, O. Three women on team. Date—April 24, 1914. Question—Resolved, that a minimum wage for women workers in Ohio should be fixed by law. Constitutionality conceded. Decisions—At Granville, Otterbein Affirmative 3, Shepardson Negative 0. At Westerville, Shepardson Affirmative 2, Otterbein Negative 1.

Findlay College. Findlay. Church of God. No report 1914.

Two Annual Debates—Ashland College, Ashland, O. (See Ashland above.)

Heidelberg University. Tiffin. Reform in U. S. Prof. H. G. Houghton, Coach. Prof. R. A. Swink, Coach 1914–15. D. H. Johnson, Mgr. 1913–14.

Triangular—Otterbein College, Westerville, and Muskingum College, New Concord. Three on teams. Date—April 21, 1914. Question—Resolved, that cities in the United States with a population of 25,000 or over should own and operate their street railway systems. Decisions—At Tiffin, Heidelberg Affirmative 2, Muskingum Negative 1. At Westerville, Otterbein Affirmative 0, Heidelberg Negative 3. At New Concord, Muskingum Affirmative 0, Otterbein Negative 3.

Hiram College. Hiram. Non-sectarian. Marshall Pancoast, Dept. of Pub. Speaking, in charge. Earl Cook, Mgr. 1913–14.

Dual Debate—Baldwin-Wallace College, Berea, O. Three on teams. Date—March 5, at Berea, and March 6, at Hiram. Question—Resolved, that all concerns doing an interstate business other than those covered by the Interstate Commerce Act should be regulated by a federal commission including the power to regulate prices and capitalization. Constitutionality granted. Decisions—At Hiram, Hiram College Affirmative 3, Baldwin-Wallace Negative 0. At Berea, Baldwin-Wallace Affirmative 1, Hiram Negative 2.

Marietta College. Marietta. Non-sectarian. No report 1914.

Triangular—Bethany College, Bethany, W. Va., and W. Va. Wesleyan, Buckhannon. (See W. Va. Wesleyan.)

Miami University. Oxford. Non-sectarian. Tau Kappa Alpha.

Arthur L. Gates, Dept. of Public Speaking, Coach. No report 1914.

Triangular—Denison University, Granville, O., and Ohio University, Athens, O. (See Denison Univ. above.)

Mt. Union College. Alliance. Methodist. Prof. Herbert D. Simpson, in charge. No report 1914.

Triangular—Muskingum College, New Concord, O., and Ohio Northern College, Ada, O. (See Muskingum below.)

Dual Debate—Western Reserve University, Cleveland, O. (See Western Reserve below.)

Triangular—Otterbein Univ., Westerville, and Wittenberg College, Springfield. (See Wittenberg below.)

Muskingum College. New Concord. United Presbyterian. Tau Kappa Alpha. Wilbur C. Dennis, Dept. of Public Speaking, Coach. W. L. Wishart, Mgr. 1913–14. J. C. Lorimer, Mgr. 1914–15.

Annual Debate—Geneva College, Beaver Falls, Pa. Three on teams. Date—March 17, 1914. Place—New Concord. Question—Resolved, that all municipalities of the United States having a population of 25,000 or more should own and operate their street railway systems. Decision—Muskingum Affirmative 3 to 0.

Triangular—Otterbein University, Westerville, O., and Heidelberg University, Tiffin, O. (See Heidelberg Univ. above.)

Triangular—Mt. Union College, Alliance, O., and Ohio Northern University, Ada, O. Three on teams. Date—March 25, 1914. Question—Resolved, that all municipalities of the United States having a population of 25,000 or more should own and operate their street railway systems. Decisions—At New Concord, Ohio Northern Affirmative 0, Muskingum 3. At Alliance, Muskingum Affirmative 2, Mt. Union 1. At Ada—No report.

Oberlin College. Oberlin. Non-sectarian. Applying for Delta Sigma Rho. W. G. Cashey, Coach. R. H. Davis, Mgr. 1913-14.

Triangular—Ohio Wesleyan University, Delaware, and Western Reserve University, Cleveland. Three on teams. Date—Jan. 23, 1914. Question—Resolved, that when internal dissensions menace the perpetuity of government in a Latin American

state the United States should intervene to secure stability of government. Decisions—At Oberlin, Western Reserve Affirmative 0, Oberlin Negative 3. At Delaware, Oberlin Affirmative 0, Ohio Wesleyan 3. At Cleveland, Wesleyan Affirmative 0, Western Reserve 3.

Ohio State University. Columbus. Non-sectarian. Delta Sigma Rho. V. A. Ketcham, Coach. Arthur S. Burkett, Mgr. 1913–14. Chas. F. Lindsley, Mgr. 1914–15.

Triangular—Indiana and Illinois universities. Bloomington and Urbana respectively. Three on teams. Date—March 13, 1914. Question—Resolved, that the policy of establishing a minimum wage by state boards is desirable. Decisions—At Columbus, Ohio State Affirmative won from Indiana. At Urbana, Illinois Affirmative 3, Ohio Negative 0. At Bloomington, Indiana Affirmative 1, Illinois Negative 2.

Ohio University. Athens. Non-sectarian. Prof. H. R. Pierce, Coach and Mgr.

Triangular—Denison University, Granville, and Miami University, Oxford. (See Denison University above.)

Ohio Wesleyan University. Delaware. Methodist Episcopal. Delta Sigma Rho. Robert I. Fulton, Dept. Public Speaking, in charge. President Debate Council, Mgr.

Triangular—Oberlin College, Oberlin, and Western Reserve University, Cleveland. (See Oberlin above.)

Triangular—University of Rochester, Rochester, N. Y., and Colgate University, Hamilton, N. Y. Three on teams. Date—February 13, 1914. Question—Resolved, that when internal dissension menaces the perpetuity of government in a Latin American republic the United States shall intervene to secure a stable government. Decisions—At Delaware, Colgate Affirmative 1, Wesleyan Negative 2. At Rochester, Univ. of Rochester Affirmative 1, Wesleyan 2. At Hamilton—No report.

Dual Debate—University of Cincinnati, Cincinnati. Three on team. Date—March 13, 1914. Question—As in triangular above. Decision—At Delaware, Ohio Wesleyan Affirmative 3, and Cincinnati 0. At Cincinnati, Cincinnati Affirmative 1, Ohio Wesleyan Negative 2.

Otterbein University. Westerville. United Brethren. H. J.

Heltman, Prof. of Oratory, Coach. J. R. Schutz, Mgr. 1913–14. No report 1914.

Triangular—Heidelberg University, Tiffin, and Muskingum College, New Concord. (See Heidelberg Univ. above.)

Dual Debate—Shepardson College. Woman's Debate. (See under Denison University above.)

Triangular—Mt. Union College, Alliance, and Wittenberg College, Springfield. (See Wittenberg below.)

University of Cincinnati. Cincinnati. Non-sectarian. No report 1914.

Dual Debate—Ohio Wesleyan University, Delaware, O. (See Ohio Wesleyan above.)

University of Wooster. Wooster. Presbyterian. Delbert G. Lean, Public Speaking Dept., and R. G. Caldwell, Coaches.

Triangular—Allegheny College, Meadville, Pa., and University of Pittsburg, Pittsburg, Pa. Three on teams. Date—March 20, 1914. Question—Resolved, that as a matter of policy the United States should exclude all foreign unskilled labor. Decisions—At Wooster, Wooster Affirmative 3, Allegheny Negative 0. At Pittsburg, Pittsburg Affirmative 1, Wooster Negative 2. At Meadville—No report.

Annual Debate—Western Reserve University, Cleveland, O. Three on team. Date—March 21, 1914. Place—Wooster. Question—Resolved, that when internal dissension menaces the perpetuity of government of a Latin American government the United States shall intervene to secure a stable government. (It was understood that South America was to be eliminated from the discussion.) Decision—Western Reserve Affirmative 0, Wooster 2.

Western Reserve University. Cleveland. Non-sectarian. Delta Sigma Rho. Howard S. Woodward, Coach. W. Burt McBride, Mgr. 1913-14. Harold M. Emerson, Mgr. 1914–15.

Triangular—Oberlin College, Oberlin and Ohio Wesleyan, Delaware. (See Oberlin above.)

Dual Debate—Mt. Union College, Alliance, O. Three on team. Date—April 24, 1914. Question—Resolved, that when internal dissension menaces the perpetuity of government in a Latin American republic the United States shall intervene to secure a stable government. Decisions—At Cleveland, Western Re-

serve Affirmative 2, Mt. Union Negative 1. At Alliance, Mt. Union Affirmative 2, Reserve Negative 1.

Annual Debate—University of Wooster, Wooster, O. (See University of Wooster above.)

Wilberforce University. Wilberforce. Af. Methodist Episcopal. Prof. L. F. Palmer, Coach. Alphi Phi Debating Club manages.

Annual Debate—Howard University, Washington, D. C. Three on teams. Date—April 24, 1914. Place—Wilberforce. Question—Resolved, that the federal government should own and operate the telegraph and telephone systems of the United States. Decision—Howard Univ. Affirmative 1, Negative Wilberforce 2.

Wittenberg College. Springfield. Lutheran. Dr. J. P. Schneider, Coach. Earl J. O'Brien, Mgr. 1913–15.

Triangular—Mt. Union College, Alliance, and Otterbein University, Westerville. Three on teams. Date—March 20, 1914. Question—Resolved, that the municipalities of the United States of a population of 25,000 or over should own and operate their street railways. Decisions—At Springfield, Mt. Union Affirmative 1, Wittenberg Negative 2. At Westerville, Wittenberg Affirmative 1, Otterbein Negative 2. At Alliance —No report.

OKLAHOMA

Central State Normal. Edmond. Non-sectarian. No report.

Triangular—(See Northwestern Normal immediately below.)

Northwestern State Normal. Alva. Non-sectarian. W. H. Wood, Coach and Mgr.

Triangular—Central State Normal, Edmond, and Southwestern State Normal, Weatherford. Two on teams. Date—March 27, 1914. Question—Resolved, that the railroads of the United States should be owned and operated by the United States government. Decisions—At Alva, Southwestern Normal Affirmative 0, Northwestern Normal Negative 1. At Edmond, Northwestern Affirmative 0, Central Normal Negative 1. At Weatherford—No report.

Dual Debate—Kansas State Normal, Emporia, Kans. Two on teams. Date—March 4, 1914. Question—Resolved, that the

President of the United States should be elected for a single term of six years. Decisions—At Alva, Northwestern Normal Affirmative 2, Emporia Normal Negative 1. At Emporia, Emporia Normal Affirmative 0, Northwestern Normal Negative 3.

Oklahoma Agricultural and Mechanical College. Stillwater. Non-sectarian. Ralph E. Tieje, Coach and Manager. No report 1914.

Triangular—Kansas Agricultural College, Manhattan, and Colorado Agricultural College, Ft. Collins. (See under Kansas.)

Annual Debate—Oklahoma Methodist University, Guthrie. (See Oklahoma Methodist below.)

Oklahoma Methodist University. Guthrie. Methodist. W. E. Howard, Coach. H. G. McAllister, Mgr. 1913–15.

Annual Debate—Friends University, Wichita, Kansas. Three on teams. Date—April 14, 1914. Place—Guthrie. Question—Resolved, that Hobson's proposed amendment to the federal constitution is the proper method of fighting the liquor traffic. Decision—Okla. Methodist 2, Friends Negative 1.

Annual Debate—Oklahoma Agricultural and Mechanical College, Stillwater. Three on teams. Date—April 28, 1914. Place—Stillwater. Question—Resolved, that the German Rural Credit System should be made the basis of a credit system for the United States. Decision—Okla. Methodist Affirmative 1, A. and M. Negative 2.

Phillips University. Enid. No report 1914.

Triangular—Fairmount College, Wichita, Kansas, and Friends University, Wichita, Kans. (See under Kansas.)

Southwestern Normal School. Weatherford. Non-sectarian. No report 1914.

Triangular—Central Normal, Edmond, and Northwestern Normal, Alva. (See Northwestern Normal above.)

University of Oklahoma. Norman. Non-sectarian. Delta Sigma Rho. Burton F. Tanner, Coach and Manager.

Annual Debate—University of Southern California, Los Angeles. Two on teams. Date—March 17, 1914. Place—Norman. Question—Resolved, that deposits should be guaranteed by a government tax on banks proportional to deposits. Decision—Oklahoma Affirmative 0, U. S. C. Negative 3.

Annual Debate—University of Arkansas, Fayetteville. Two on teams. Date—March 13, 1914. Place—Fayetteville. Question—Resolved, that the several states should adopt a minimum wage law. Decision—Oklahoma Affirmative 0, Arkansas Negative 3.

Triangular—Universities of Colorado and Kansas at Norman, Boulder and Lawrence. Three on teams. Date—March 8, 1914. Question—Resolved, that the several states should adopt a unicameral form of legislature. Decisions—At Norman—Oklahoma Affirmative 2, Kansas Negative 1. At Boulder, Colorado Affirmative 0, Oklahoma Negative 3. At Lawrence, Kansas Affirmative 3, Colorado Negative 0.

OREGON

University of Oregon. Eugene. Non-sectarian. Robert W. Prescott, Coach. A. M. Geary, Mgr. 1913–14. No report 1914.

Triangular—University of Washington, Seattle, and Leland Stanford University, Palo Alto, Calif. (See under California and Washington.)

PENNSYLVANIA

Allegheny College. Meadville. Methodist Episcopal. Delta Sigma Rho. Stanley S. Swartley, Dept. of English, in charge. No report 1914.

Triangular Debate—University of Wooster, Wooster, Ohio, and University of Pittsburg, Pittsburg, Pa. (See under Ohio.)

Bucknell University. Lewisburg. Baptist. Bromley Smith, in charge. No report 1914.

Dual Debate—Pennsylvania College, Gettysburg. (See Pennsylvania College below.)

Dickinson College. Carlisle. Non-sectarian. No coach. M. G. Filler, in charge. Prof. W. W. Lewis, Mgr.

Quadrangular—Pennsylvania State College, Swarthmore College, and Franklin and Marshall College. Dickinson met Franklin and Marshall and State College in 1914. Three on teams. Date—March 6, 1914. Question—Resolved, that the progress

and prosperity of the country would be increased if the elective franchise were withheld from none solely on account of sex. Decisions—At Carlisle, Franklin and Marshall Affirmative 1, Dickinson Negative 2. At State College, Dickinson Affirmative 1, State College Negative 2.

Franklin and Marshall. Lancaster. Reform in U. S. Prof. A. V. Heister, Coach.

Quadrangular—Dickinson College, Swarthmore College, and Penn. State College. Franklin and Marshall met Dickinson and Swarthmore in 1914. Three on teams. Date—March 6, 1914. Question—Resolved, that the progress and prosperity of the United States would be increased if the elective franchise were withheld from no one solely on account of sex. Decisions—At Lancaster, Swarthmore Affirmative 2, Franklin and Marshall Negative 1. At Carlisle, Franklin and Marshall Affirmative 1, Dickinson Negative 2.

Geneva College. Beaver Falls. Ref. Presbyterian. No Coach. J. Edwin Purdy, Mgr. 1913–14. Leon Hamilton, Mgr. 1914–15.

Annual Debate—Muskingum College, New Concord, Ohio. Three on team. Date—March 17, 1914. Place—New Concord. Question—Resolved, that municipalities in the United States having a population of 25,000 or over should own and operate their street railway systems. Decision—Muskingum Affirmative 3 to 0.

Annual Debate—Grove City College, Grove City, Pa. Three on teams. Date—April 17, 1914. Place—Beaver Falls. Question—Resolved, that the United States should continue to maintain the Monroe Doctrine as a national policy. Decision—Geneva College Affirmative 2 to 1.

Grove City College. Grove City. Non-sectarian. No report 1914.

Annual Debate—Geneva College, Beaver Falls, Pa. (See immediately above.)

Juniata College. Huntingdon. Baptist. No Coach. John A. Ake, Mgr. 1913–14. No report 1914.

Lafayette College. Easton. Presbyterian. Prof Allan Roberts, Coach. Ralph Shaner, Mgr. 1913–15.

Annual Debate—Swarthmore College, Swarthmore, Pa. Three

on teams. Date—April 24, 1914. Place—Easton. Question —Resolved, that currency and banking reform legislation should contain a provision for a central bank under federal control. Decision—Lafayette Affirmative 1, Swarthmore Negative 2.

Dual Debate—Rutgers College, New Brunswick, New Jersey. Three on teams. Date—April 17, 1914. Question—Resolved, that currency and banking reform legislation should contain a provision for a central bank under federal control. Decisions—At Easton, Rutgers Affirmative 0, Lafayette Negative 3. At New Brunswick, Lafayette Affirmative 1, Rutgers Negative 2.

Pennsylvania College. Gettysburg. Lutheran. Frank W. Moser, Coach. Prof. C. F. Sanders, Mgr.

Dual Debate—Bucknell College, Lewisburg, Pa. Two on teams. Date—March 10, 1914. Question—Resolved, that there should be a national board of arbitration with jurisdiction* over all disagreements between employers engaged in interstate business and their employees.

*By jurisdiction is meant that the board can hear cases and render a decision with authority, *i.e.* (a) It can take up the case on its own initiative or at the request of one of the three parties: the employee, the employer, or the public; (b) It can compel the presentation of all the evidence bearing on the case. (c) It can pass judgment. (d) It can enforce the award. Decisions—At Gettysburg, Bucknell Affirmative 1, Gettysburg Negative 2. At Lewisburg, Gettysburg Affirmative 1, Bucknell Negative 2.

Pennsylvania State College. State College. Non-sectarian. Applying for Delta Sigma Rho. J. H. Frizzell, Eng. Dept., and Wm. Lewis Roberts, Coaches. John R. Bracken, Mgr. 1913–14.

Quadrangular—Dickinson College, Franklin and Marshall College, and Swarthmore College. Penn. State met Dickinson and Swarthmore in 1914. Three on teams. Date—March 6, 1914. Question—Resolved, that the progress and prosperity of the United States would be increased if the suffrage were not withheld from any one solely on account of sex. Decisions—At State College, Dickinson Affirmative 1, State College

Negative 2. At Swarthmore, State College Affirmative 2, Swarthmore Negative 1.

Annual Debate—Westminster College, New Wilmington, Pa. Three on teams. Date—April 30, 1914. Place—New Wilmington. Question—Resolved, that the women of Pennsylvania should be granted the suffrage on an equality with men. Decision—Westminster Affirmative 3, Penn. State Negative 0.

Annual Debate—University of Pittsburg, Pittsburg. Three on teams. Date—May 21, 1914. Place—Pittsburg. Question—Resolved, that the women of the United States should be granted the privilege of suffrage on equal terms with men. Decision—University of Pittsburg Affirmative 2, Penn. State Negative 1.

Annual Debate—Washington and Jefferson College, Washington, Pa. Three on teams. Date—May 21, 1914. Place—Washington. Question—Resolved, that the women of the United States should be granted the privilege of suffrage on equal terms with men. Decision—Washington and Jefferson Affirmative 0, Penn. State Negative 3.

Swarthmore College. Swarthmore. Non-sectarian. Delta Sigma Rho. P. M. Hicks, Coach. A. Roy Ogden, Mgr. 1913–14.

Quadrangular—Dickinson College, Franklin and Marshall College, Penn. State College. Swarthmore met Franklin and Marshall and Penn. State colleges in 1914. Three on teams. Date, March 6, 1914. Question—Resolved, that the progress and prosperity of the United States would be increased if the suffrage were not withheld from any one solely on account of sex. Decisions—At Swarthmore, Penn. State Affirmative 2, Swarthmore Negative 1. At Lancaster, Swarthmore Affirmative 2, Franklin and Marshall Negative 1.

Annual Debate—Lafayette College, Easton, Pa. (See Lafayette College above.)

University of Pennsylvania. Philadelphia. Non-sectarian. Delta Sigma Rho. F. A. Child, Inst. in English, in charge. Randolph G. Adams, Mgr. 1913–14.

Annual Debate—Tulane University, New Orleans, La. Two on teams. Date—February 14, 1914. Place—Philadelphia. Question—Resolved, that the states should enforce a mini-

mum wage of eight dollars for women and six dollars for children, it being agreed that these amounts are necessary for the maintenance of a fair standard of living. Decision—Tulane Affirmative 2 to 1.

Annual Debate—Syracuse University, Syracuse, N. Y. Three on teams. Date—Feb. 16, 1914. Place—Syracuse. Question—As stated in debate immediately above. Decision—Univ. of Pennsylvania Affirmative 3 to 0.

Triangular—Cornell University, Ithaca, and Columbia University, New York City. Three on teams. Date—March 6, 1914. Question—Resolved, that the states should by law require a minimum wage for women and children employed in industrial and mercantile establishments. Decisions—At Philadelphia, Univ. of Pennsylvania Affirmative 0, Cornell Negative 3. At New York City, Columbia Affirmative 0, Univ. of Pennsylvania Negative 3. At Ithaca, Cornell Affirmative 0, Columbia Negative 3.

University of Pittsburg. Pittsburg. Non-sectarian. F. H. Lane, Coach. No report 1914.

Triangular—Allegheny College, Meadville, and University of Wooster, Wooster, Ohio. (See Wooster, Ohio.)

Annual Debate—Pennsylvania State College, State College. (See Pennsylvania State College above.)

Annual Debate—Westminster College, New Wilmington. (See below.)

Washington and Jefferson College. Washington. Non-sectarian. Prof. Wilbur Jones Kay, Coach. No report 1914.

Annual Debate—Pennsylvania State College, State College, Pa. (See Penn. State above.)

Westminster College. New Wilmington. United Presbyterian. Elbert R. Moses, Coach. Ralph Miller, Mgr. 1913–14. W. I. Grundish, Mgr. 1914–15.

Annual Debate—Pennsylvania State College, State College. (See above.)

Annual Debate—University of Pittsburg, Pittsburg. Three on teams. Date—March 20, 1914. Place—New Wilmington. Question—Resolved, that the United States as a matter of policy should exclude all foreign unskilled labor. Decision—Westminster Affirmative 3 to 0.

RHODE ISLAND

Brown University. Providence. Non-sectarian. No report 1914.

Triangular—Dartmouth College, Hanover, N. H., and Williams College, Williamstown, Mass. No report.

SOUTH CAROLINA

University of South Carolina. Columbia. Non-sectarian. No Coach. Leonard T. Baker, Fac. Member, in charge. Sec. Debate Council manages.

Annual Debate—Trinity College, Durham, N. C. (See Trinity, N. C.)

Annual Debate—Davidson College, Davidson, N. C. (See Davidson, N. C.)

Wofford College. Spartanburg. Methodist Episcopal South. No report 1914.

Triangular—Emory College, Oxford, Ga., and Emory and Henry College, Emory, Va. (See Georgia or Virginia.)

SOUTH DAKOTA

Dakota Wesleyan University. Mitchell. Methodist Episcopal. George S. Dalgetty and J. Manly Phelps, Coaches 1913–14. Elmer Harrison Wilds, Coach 1914–15.

Triangular—Carleton College, Northfield, Minn., and Ripon College, Ripon, Wis. Three on teams. Date—April 24, 1914. Question—Resolved, that state judges should be subject to recall by the people. Decisions—At Mitchell, Dakota Wesleyan Affirmative 0, Carleton 3. At Ripon, Ripon Affirmative 3, Dakota Wesleyan 0. At Northfield, Carleton Affirmative 3, Ripon Negative 0.

Huron College. Huron. Presbyterian. E. L. Hunt, Coach. Floyd Reeves, Mgr. 1913–14.

Dual Debate—South Dakota State College, Brookings. Three on teams. Date—April 2, 1914. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decisions—At Huron, Huron Affirmative

2, S. Dak. State Negative 1. At Brookings, S. Dak. State Affirmative 1, Huron Negative 2.

Annual Debate—Yankton College, Yankton. Three on team. Date—March 27, 1914. Place—Yankton. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decision—Yankton Affirmative 3 to 0.

Annual Debate—Northern Normal, Aberdeen, S. Dak. Three on teams. Date—May 8, 1914. Place—Aberdeen. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decision—Northern Normal Affirmative 3 to 0.

South Dakota State College. Brookings. Non-sectarian. H. W. Ewing, Coach.

Dual Debate—Huron College, Huron, S. Dak. (See Huron above.)

Dual Debate—North Dakota Agricultural College, Fargo, N. D. Three on teams. Date—April 9, 1914. Question—Resolved, that immigration into the United States should be further restricted by means of a literary test. Decisions—At Brookings, S. Dak. State College Affirmative 3, N. Dak. State College Negative 0. At Fargo, N. Dak. State College Affirmative 1, S. Dak. State College Negative 2.

S. Dakota Northern Normal. Aberdeen. Non-sectarian. No report 1914.

Annual Debate—Huron College, Huron. (See Huron College above.)

University of S. Dakota. Vermillion. Non-sectarian. Clarence E. Lyon, Coach.

Annual Debate—Iowa State College, Ames. Three on team. Date—Nov. 14, 1913. Place—Ames. Question—Resolved, that the United States should grant independence to the Philippines. Decision—Iowa State Affirmative 1, S. Dakota Negative 2.

Annual Debate—Kansas State College, Manhattan. Three on teams. Date—Nov. 14, 1913. Place—Vermillion. Question—Same as in Iowa State College debate immediately above. Decision—S. Dakota Affirmative 2, Kansas State Negative 1.

Triangular—Drake University, Des Moines, Ia., and Grinnell Col-

lege, Grinnell, Ia. Three on teams. Date—March 13, 1914. Question—Resolved, that the provision of the Panama Canal Act exempting the coastwise shipping of the United States from payment of tolls should be repealed. Decisions—At Des Moines, Drake Univ. Affirmative 5, S. Dak. Negative 0. At Vermillion, S. Dakota Affirmative 5, Grinnell Negative 0. At Grinnell, Grinnell Affirmative 3, Drake Negative 2.

Girls' Debate—Yankton College, Yankton. (See Yankton below.)

Yankton College. Yankton. Congregational. L. C. Sorrell, Coach. S. W. Tobin, Mgr. 1913–14.

Annual Debate—Grinnell College, Grinnell, Ia. Three on teams. Date—March 14, 1914. Place—Yankton. Question—Resolved, that the section of the Panama Canal Act, which exempts coastwise shipping of the United States from the payment of tolls should be repealed. Decision—Yankton Affirmative 3 to 0.

Annual Debate—Huron College, Huron, S. Dak. (See Huron above.)

Annual Debate—Nebraska Wesleyan, University Place, Nebr. Three on teams. Date—April 24, 1914. Place—University Place. Question—Resolved, that immigration into the United States should be further restricted by means of a literacy test. Decision—Yankton College Negative 3 to 0.

Annual Debate (Girls)—Univ. of S. Dakota, Vermillion. Three on teams. Date—May 9, 1914. Place—Yankton. Question—Resolved, that the United States should abandon the Monroe Doctrine. Decision—Yankton Affirmative 2 to 1.

TENNESSEE

Carson and Newman College. Jefferson City. Baptist. H. M. Wyrick, Coach. S. M. Tunnell, Mgr. 1913–15.

Annual Debate—Tusculum College. Two on teams. Date—April 10, 1914. Place—Jefferson City. Question—Resolved, that Congress should pass a minimum wage law for all industries doing interstate business. Constitutionality waived. Decision—Carson-Newman Affirmative 2 to 1.

Fisk University. Nashville. Non-sectarian. Dora A. Scribner,

Dept. of Eng., Coach. Ernest R. Alexander, Mgr. 1913–14.

Annual Debate—Atlanta University, Atlanta, Ga. Two on teams. Date—April 3, 1914. Place—Nashville. Question—Resolved, that the United States should disclaim the Monroe Doctrine as part of its foreign policy. Decision—Atlanta Affirmative 2 to 1.

Annual Debate—Howard University, Washington, D. C. Two on teams. Date—April 3, 1914. Place—Washington, D. C. Question—Resolved, that the United States should disclaim the Monroe Doctrine as part of its foreign policy. Decision—Howard Negative 3 to 0.

Knoxville College. Knoxville. United Presbyterian. Prof. Frank P. Hiner, Coach. H. M. Telford, Mgr. 1913–15.

Triangular—Talladega College. Talladega, Alabama, and Morehouse College, Atlanta, Ga. Two on teams. Date—April 10, 1914. Question—Resolved, that the United States should abandon the Monroe Doctrine. Decisions—At Knoxville, Knoxville Affirmative 0, Morehouse Negative 3. At Talladega, Talladega Affirmative 1, Knoxville 2. At Atlanta, Morehouse Affirmative 0, Talladega Negative 3.

University of Tennessee. Knoxville. Non-sectarian. Prof. George Herbert Clark, Mgr.

Pentangular—Universities of Arkansas, Louisiana, Mississippi, and Texas. Tennessee met Louisiana and Arkansas, 1914. Two on teams. Date—April 3, 1914. Question—Resolved, that the President of the United States should be elected for a term of six years and should be ineligible to re-election. Decisions—At Knoxville, Tennessee Affirmative 2, Louisiana Negative 1. At Fayetteville, Arkansas, Arkansas Affirmative 2, Tennessee Negative 1.

Vanderbilt University. Nashville. Non-sectarian. Tau Kappa Alpha. Prof. A. M. Harris, G. W. Follin, Coaches and Managers.

Annual Debate—University of Alabama, Tuscaloosa. Two on teams. Date—April 17, 1914. Place—Nashville. Question—Resolved, that the President of the United States should be elected by direct vote of the people. Decision—Vanderbilt Affirmative 2 to 1.

Annual Debate—University of Kentucky, Lexington. Two on teams. Date—April 17, 1914. Place—Lexington, Ky. Question—Resolved, that the President of the United States should be elected by a direct vote of the people. Decision—Kentucky Affirmative 2 to 1.

TEXAS

Baylor University. Waco. Baptist. No Coach. No report 1914.

Annual Debate—Ouachita College, Arkadelphia, Arkansas. (See Ouachita, Arkansas.)

Southwestern University. Georgetown. Methodist Episcopal. John R. Pelsma, Coach 1912–13. H. K. Moorehead, Mgr. 1913–14.

Triangular—Texas Christian University, Ft. Worth, and Trinity University, Waxahachie. (See Trinity University below.)

Texas Christian University. Ft. Worth. Disciples. No report 1914.

Triangular—Southwestern University, Georgetown, and Trinity University, Waxahachie. (See Trinity below.)

Trinity University. Waxahachie. Presbyterian. Miss Eleanor Blocher, Coach. Sim Joe Smith, Mgr.

Triangular—Southwestern University, Georgetown, and Texas Christian University, Ft. Worth. Three on teams. Date—Feb. 13, 1914. Question—Resolved, that the United States should within the next fifteen years grant the Philippines their independence and aid them in establishing a free and independent government. Decisions—At Waxahachie, Trinity Affirmative 2, Southwestern Negative 1. At Ft. Worth, Texas Christian Affirmative 1, Trinity Negative 2. At Georgetown—No report.

University of Texas. Austin. Non-sectarian. Delta Sigma Rho. E. D. Shurter, J. R. Pelsma, and Ellwood Griscom, Coaches. E. D. Shurter, Mgr.

Triangular—Colorado and Missouri universities. Two on teams. Date—April 17, 1914. Question—Resolved, that immigration into the United States should be further restricted by a literacy test. Decisions—At Austin, Texas Affirmative 2,

Missouri Negative 1. At Boulder, Colorado Affirmative 2, Texas Negative 1. At Columbia, Missouri Affirmative, Colorado Negative—No report.

Pentangular—Universities of Arkansas, Louisiana, Mississippi, and Tennessee. Texas met Arkansas and Louisiana in 1914. Two on teams. Date—April 3, 1914. Question—Resolved, that the President of the United States should be elected for a term of six years and should be ineligible to re-election. Decisions—At Austin, Texas Affirmative 2, Arkansas Negative 1. At Baton Rouge, Louisiana Affirmative 0, Texas Negative 3.

UTAH

Brigham Young University. Provo. Latter Day Saints. No coach. George Hickman, Mgr. 1913–14.

Annual Debate—Latter Day Saints University. Two on teams. Date—May 1, 1914. Place—Logan. Question—Resolved, that present tariff laws discriminate unjustly against the West and in favor of the East. Decision—Brigham Young Univ. Negative 2 to 1.

Annual Debate—Univ. of Nevada. (See Nevada.)

Annual Debate—University of Southern California Law School, Los Angeles. (See Univ. of S. Calif., California.)

Triangular—University of Utah, Salt Lake City, and Utah Agricultural College, Logan. (See both institutions below.)

Utah Agricultural College. Logan. Non-sectarian. No coach. Faculty Committee in charge. J. B. Walker, Mgr. 1913–14.

Triangular—Brigham Young University, Provo, and Univ. of Utah, Salt Lake City. Two on teams. Date—March 28, 1914. Question—Resolved, that the United States should exempt from Panama Canal tolls all United States owned vessels engaged in coastwise trade, the right to do so being conceded. Decisions—At Logan, Agricultural College Affirmative 0, University of Utah Negative 3. At Provo, Brigham Young Affirmative 3, Agricultural Negative 0. At Salt Lake City, Univ. of Utah Affirmative 2, Brigham Young 1.

University of Utah. Salt Lake City. Non-sectarian. Tau

Kappa Alpha. Charles Wilbert Snow, Coach. A. J. Ashman, Mgr. 1913–14. Edwin Spencer, Mgr. 1914–15.

Annual Debate—University of Montana, Missoula. Three on teams. Date—Feb. 13, 1914. Place—Salt Lake City. Question—Resolved, that the immigration to the United States of all unskilled laborers from the Italian, Greek, and Slav races of southern and southeastern Europe should be prohibited. Decision—Montana Affirmative 3 to 0.

Annual Debate—University of Colorado, Boulder. Three on team. Date—April 24, 1914. Place—Boulder. Question—Resolved, that boards of arbitration with compulsory powers should be established to settle disputes between employers and employees. Decision—Colorado Negative 3 to 0.

Triangular—Brigham Young University, Provo, and Utah Agricultural College, Logan. (See Utah Agricultural above.)

VERMONT

Middlebury College. Middlebury. Non-sectarian. Professors A. D. Wetherell and C. F. Abbott, Coaches. J. James Floyd, Mgr. 1913–15.

Triangular—Norwich University, Northfield, and University of Vermont, Burlington. Three on teams. Date—March 25, 1914. Question—Resolved, that Congress should pass a joint resolution promising independence to the Filipinos at a date not later than ten years in the future. Decisions—At Middlebury, Middlebury Affirmative 3, University of Vermont 0. At Northfield, Norwich University Affirmative 0, Middlebury Negative 3. At Burlington, Univ. of Vermont Affirmative 3, Norwich Negative 0.

Norwich University. Northfield. Non-sectarian. No report 1914.

Triangular—Middlebury College, Middlebury, and University of Vermont, Burlington. (See Middlebury College above.)

University of Vermont. Burlington. Non-sectarian. Prof. Frederick Tupper, Eng. Dept., Coach. John B. Sanford, Mgr. 1913–14.

Triangular—Middlebury College, Middlebury, and Norwich University, Northfield. (See Middlebury College above.)

VIRGINIA

Emory and Henry College. Emory. Methodist Episcopal South. Dr. H. M. Henry, Coach. O. L. Simpson, Mgr. 1913–14.

Triangular—Emory College, Oxford, Ga., and Wofford College, Spartanburg, South Carolina. Two on teams. Date—April 11, 1914. Question—Resolved, that the system of direct legislation known as the Initiative and Referendum should be generally adopted in the several states. Decisions—At Emory, Va., Emory and Henry Affirmative 3, Wofford College 0. At Oxford, Ga., Emory College Affirmative 2, Emory and Henry Negative 1. At Spartanburg, S. C., Wofford College Affirmative 0, Emory College 3.

Randolph-Macon College. Ashland. Methodist. Tau Kappa Alpha. No Coach. Debate Council in Charge. J. R. Spann, Mgr. 1913–14.

Annual Debate—Roanoke College, Salem, Va. Two on teams. Date—April 17, 1914. Place—Salem. Question—Resolved, that the United States should grant the Philippines their independence within the next eight years. Decisions—Randolph-Macon Affirmative 0, Roanoke College Negative 3.

Triangular—Richmond College, Richmond, and William and Mary College, Williamsburg. Two on teams. Date—Feb. 27, 1914. Question—Resolved, that the President of the United States should be elected for a term of six years and should be ineligible for re-election for the next term. Decisions—At Ashland, Randolph-Macon Affirmative 3, Richmond College Negative 0. At Williamsburg, William and Mary Affirmative 0, Randolph-Macon Negative 3. At Richmond, Richmond Affirmative 2, William and Mary Negative 1.

Richmond College. Richmond. Baptist. Dr. D. R. Anderson, Coach. No report 1914.

Triangular—Randolph-Macon College, Ashland, and William and Mary College, Williamsburg. (See Randolph-Macon above.)

Roanoke College. Salem. Lutheran. Dr. J. G. Randall, Coach. J. W. Campbell, Mgr. 1913–14.

Annual Debate—Randolph-Macon College, Ashland, Va. (See Randolph-Macon above.)

University of Virginia. Charlottesville. Non-sectarian. Delta Sigma Rho. C. W. Paul, Adjunct Professor, Public Speaking, in charge. N. T. McManaway, Pres., Deb. and Orat. Council, Mgr. 1913–14.

Triangular—Johns Hopkins University, Baltimore, Md., and University of N. Carolina, Chapel Hill, N. C. Two on teams. Date—April 18, 1914. Question—Resolved, that the political interests of the United States demand the abandonment of the Monroe Doctrine. Decisions—At Charlottesville, North Carolina Affirmative 0, Johns Hopkins Negative 5. At Chapel Hill, N. C., Johns Hopkins Affirmative 4, Univ. of Virginia Negative 1. At Baltimore, University of Virginia Affirmative 3, University of N. Carolina Negative 2.

Virginia Polytechnic Institute. Blacksburg. Non-sectarian. Prof. W. H. Arnold, Coach. No report 1914.

Dual Debate—William and Mary College, Williamsburg. (See William and Mary College below.)

Washington and Lee University. Lexington. Non-sectarian. Delta Sigma Rho. R. G. Campbell, Dept. Political Science, in charge. G. D. Hancock, Chr. Debate Council, Mgr.

Annual Debate—Tulane University, New Orleans, La. Two on teams. Date—March 12, 1914. Place—New Orleans, La. Question—Resolved, that the states should enforce a minimum wage for women and children sufficient to maintain a fair standard of life. Decision—Tulane Affirmative 0, Washington and Lee Negative 3.

Annual Debate—Trinity College, Durham, N. C. Three on teams. Date—March 14, 1914. Place—Durham, N. C. Question—Resolved, that the states should enforce a minimum wage for women and children sufficient to maintain a fair standard of living. Decision—Washington and Lee Affirmative 0, Trinity Negative 3.

William and Mary, College of. Williamsburg. Non-sectarian. No coach. W. M. Grinsley, Mgr. 1913–14.

Triangular—Randolph-Macon, Ashland, Va., and Richmond College, Richmond, Va. (See Randolph-Macon College above.)

Dual Debate—Virginia Polytechnic Institute, Blacksburg, Va.

Two on teams. Date—May 1, 1914. Question—Resolved, that legislation should be enacted providing for the nomination of candidates for President of the United States by a direct vote of the people and without the intervention of national conventions. Decisions—At Williamsburg, Virginia Polytechnic Affirmative 0, William and Mary Negative 3. At Blacksburg, William and Mary Affirmative 3, Virginia Polytechnic Negative 0.

WASHINGTON

Gonzaga University. Spokane. Catholic. Walter J. Fitzgerald, Dir. Dept. Orat. and Debate. No report 1914.

Triangular—University of Montana, Missoula, and Montana State College, Bozeman. (See Montana.)

University of Washington. Seattle. Non-sectarian. Tau Kappa Alpha. William LaFollette, Coach and Mgr.

Triangular—University of Oregon, Eugene, and Leland Stanford University, Palo Alto, Calif. Two men teams. Date—March 13, 1914. Question—Resolved, that the executive department should be made responsible for our national budget. It is agreed that the term "responsible" within this resolution shall mean that the executive department shall make up the budget and introduce it into Congress, Congress having the right to amend only by reducing its items. Decisions—At Seattle, Washington Affirmative 3, Washington Negative 0, At Palo Alto, Stanford Affirmative 3, Washington Negative 0. At Eugene, Oregon Affirmative 3, Stanford Negative 0.

Triangular—Whitman College, Walla Walla, and Washington State College, Pullman. Two men teams. Date—Feb. 27, 1914. Question—Resolved, that a national board should be created with power to prescribe minimum wages in all sweated industries. Constitutionality waived. Decisions—At Seattle, Univ. of Washington Affirmative 2, State College Negative 1. At Walla Walla, Whitman Affirmative 2, Univ. of Washington Negative 1. At Pullman, State College Affirmative 2, Whitman College Negative 1.

Triangular—Women's—Whitman College, Walla Walla, and Washington State College, Pullman. Two on teams. Date—

April 17, 1914. Question—Resolved, that the United States should agree by treaty with all the first class powers, mutually to submit all disputes incapable of settlement by direct negotiations to the permanent Hague Tribunal. First class powers to include England, France, Germany, Austria-Hungary, Italy, Russia, Japan, Brazil, Argentina, and Chili. Decisions—At Seattle, Univ. of Washington Affirmative 0, Whitman Negative 3. At Pullman, State College Affirmative 3, Washington Negative 0. At Walla Walla, Whitman Affirmative 1, State College Negative 2.

Washington State College. Pullman. Non-sectarian. No report 1914.

Triangular—University of Washington, Seattle, and Whitman College, Walla Walla. (See University of Washington above.)

Triangular—Women's—University of Washington, Seattle, and Whitman College, Walla Walla. (See Univ. of Washington above.)

Whitman College. Walla Walla. Non-sectarian. Prof. W. A. Bratton, in charge. William Berney, Mgr. 1913–14.

Triangular—University of Washington, Seattle, and Washington State College, Pullman. (See Univ. of Washington above.)

Triangular—Women's—University of Washington, Seattle, and Washington State College, Pullman. (See Univ. of Washington above.)

WEST VIRGINIA

Bethany College. Bethany. Disciples. No report 1914.

Triangular—West Virginia Wesleyan and Marietta College, Marietta, Ohio. (See W. Virginia Wesleyan below.)

West Virginia Wesleyan. Buckhannon. Methodist. E. R. Reed in charge 1913–14.

Triangular—Bethany College, Bethany, W. Va., and Marietta College, Marietta, Ohio. Two men teams. Date—April 20, 1914. Question—Resolved, that the recent Californian anti-alien land legislation was unjustified. Decisions—At Buckhannon, Bethany Affirmative 2, Wesleyan Negative 1. At Bethany, Marietta Affirmative, Bethany Negative—No re-

port. At Marietta, Wesleyan Affirmative, Marietta Negative —No report.

WISCONSIN

Beloit College. Beloit. Non-sectarian. Delta Sigma Rho. Clayton D. Crawford, Coach. Charles T. Way, Mgr. 1912–13. No report 1914.

Triangular—Knox College, Galesburg, Ill., and Cornell College, Mt. Vernon, Ia. (See Knox, Ill., or Cornell, Ia.)

Freshman triangular—Lawrence College, Appleton, Wis., and Ripon College, Ripon, Wis. (See Lawrence or Ripon below.)

Annual Debate—Albion College, Albion, Mich. (See Albion, Mich.)

Carroll College. Waukesha. Presbyterian. Phi Alpha Tau. Miss May N. Rankin, Coach. John Springer Otten, Mgr. 1913–15.

Annual Debate—Milton College, Milton, Wis. Three on teams. Date—April 13, 1914. Place—Waukesha. Question—Resolved, that state and federal judges should be subject to recall by the people. Decision—Carroll Negative 3 to 0.

Annual Debate—Lawrence College, Appleton, Wis. Three on teams. Date—April 10, 1914. Place—Appleton, Wis. Question—Resolved, that in labor disputes no injunction should be issued other than against intimidation or acts of violence against physical property. Decision—Lawrence Affirmative 2 to 1.

Dual Debate—Northwestern College, Naperville, Ill. Three on teams. Date—May 1, 1914. Question—Resolved, that all state and federal judges should be subject to a recall by a vote of the people. Decisions—At Waukesha, Carroll Affirmative 0, Northwestern Negative 3. At Waukesha, Northwestern Affirmative 2, Carroll Negative 1.

Lawrence College. Appleton. Methodist Episcopal. Tau Kappa Alpha. F. Wesley Orr, Dept. of Public Speaking, Coach.

Annual Debate—Albion College, Albion, Mich. Three on teams. Date—March 4, 1914. Place—Albion. Question—Resolved,

that in labor disputes no injunctions should be issued other than against intimidation and acts of violence directed against physical property. Decision—Lawrence Negative 2 to 1.

Annual Debate—Carroll College, Waukesha, Wis. (See Carroll immediately above.)

Triangular (Freshmen)—Beloit College, Beloit, Wis., and Ripon College, Ripon, Wis. Three on teams. Date—May 4, 1914. Question—Resolved, that the policy of Philippine independence as outlined in the Democratic platform of 1912 should be carried into effect. Decisions—At Appleton, Lawrence Affirmative 3, Beloit Negative 0. At Ripon, Ripon Affirmative 0, Lawrence Negative 3. At Beloit, Beloit Affirmative 3, Ripon Negative 0.

Milton College. Milton. Seventh Day Baptist. L. H. Stringer, Coach. W. D. Burdick, Mgr. 1913–14.

Annual Debate—Carroll College, Waukesha, Wis. (See Carroll above.)

Annual Debate—Ripon College, Ripon, Wis. Three on teams. Date—April 13, 1914. Place—Ripon. Question—Resolved, that state judges should be subject to recall by the people. Decision—Milton Negative 2 to 1.

Oshkosh State Normal School. Oshkosh. Non-sectarian. W. R. McConnell, Coach and Mgr.

Triangular—State normal schools of Indiana, Terre Haute, and Illinois, Normal. Three on teams. Date—April 24, 1914. Question—Resolved, that minimum rates of wages should be fixed by state authority. Decisions—At Oshkosh, Wis., Oshkosh Affirmative 3, Indiana Negative 0. At Normal, Illinois Affirmative 1, Oshkosh Negative 2. At Terre Haute, Indiana Affirmative 2, Illinois Negative 1.

Ripon College. Ripon. Non-sectarian. Pi Kappa Delta. No coach 1914. R. L. Lyman, Eng. Dept. Univ. of Chicago, in charge 1915. Clarence Kopp, Mgr. 1913–14.

Triangular—Carleton College, Northfield, Minn., and S. Dakota Wesleyan, Mitchell. Three on teams. Date—April 24, 1914. Question—Resolved, that all state judges should be subject to recall by the people. Decisions—At Ripon, Ripon Affirmative 3, Dakota Wesleyan Negative 0. At Northfield, Carle-

ton College Affirmative 3, Ripon Negative 0. At Mitchell, Dakota Wesleyan Affirmative 0, Carleton Negative 3.

Annual Debate—Milton College, Milton, Wis. (See Milton above.)

Triangular (Freshman)—Beloit College, Beloit, Wis., and Lawrence College, Appleton, Wis. (See Lawrence College above.)

University of Wisconsin. Madison. Non-sectarian. Delta Sigma Rho. No report 1914.

Pentangular—Illinois, Iowa, Minnesota, and Nebraska universities. Wisconsin met Illinois and Minnesota. (See reports of these universities.)

WYOMING

University of Wyoming. Laramie. Non-sectarian. R. B. Pease, in charge.

Annual Debate—University of Denver, Denver, Colo. Three on teams. Date—April 23, 1914. Place—Laramie. Question—Resolved, that each state of the United States should establish a compulsory schedule of minimum wages for the various classes of unskilled laborers within its jurisdiction. Constitutionality conceded. Decision—Wyoming Negative 3 to 0.

APPENDIX III

I. Table showing the number of times various debate subjects were discussed in 1913–14, and the number of Affirmative and Negative decisions.

II. Table giving summary of debate decisions 1910–1914.

I

SUBJECT.	NO. TIMES DEBATED	DECISION AFF.	DECISION NEG.	NOT REPORTED
Arbitration, Compulsory	7		6	1
Arbitration, International	3	1	2	
Anti-Alien Land Legislation, California justified	5	1	2	2
Banks, Cooperative credit	1			1
Bank deposits, guarantee of	1		1	
Blue Sky law, federal	1	1		
Credit, German rural. (See also Banks, cooperative credit.)	1		1	
Express business, Federal control of	7	5	2	
Federal charter for corporations	1	1		
Government ownership of railroads	10	5	4	1
Government ownership of telegraph and telephone	3		3	
Immigration should be restricted	5	3	2	
Immigration; present immigration detrimental	3	2	1	
Immigration, educational test for restriction	25	12	12	1
Immigration, restriction of unskilled labor	5	3	1	1
Immigration, Admission of Japanese	3	1	1	1
Total immigration	41	21	17	3

SUBJECT.	NO. TIMES DEBATED	DECISION AFF.	DECISION NEG.	NOT REPORTED
Initiative and Referendum	3	2	1	
Injunctions in labor disputes should be limited or prohibited	3	1	2	
Insurance, Accident	2	2		
Intervention, by U. S., in Latin American republics	11	3	7	1
Jury, To abolish in civil cases	1	1		
Minimum wage, by state boards	16	8	8	
Minimum wage, by federal legislation	17	12	5	
Minimum wage for unskilled labor	10	7	3	
Minimum wage for women and children	14	6	8	
Total, minimum wage	57	33	24	
Monroe Doctrine, Abandonment of	11	3	8	
Municipal government, Commission form	2	2		
Municipal ownership, public utilities	1	1		
Municipal ownership, street railways	8	2	5	1
National Budget system	3	3		
Naval power, U. S. should cease being	4	2	2	
Open shop, justified	1		1	
Panama Canal tolls, exemption of American coastwise shipping	18	6	12	
Philippine Islands, independence of	19	10	8	1
President, should be elected by direct vote	2	2		
President, should be nominated by direct vote	2	1	1	
President, should be elected for single term, 6 years	10	7	3	
Primaries, direct (including Presidential nomination given above)	3	2	1	
Prohibition, Hobson's Amendment of Federal Constitution providing	1	1		
Public Utilities, Municipal ownership (Given under municipal)	9	3	5	1
Public Utilities, state commission control of	2	2		
Recall, Judicial decisions	3	1	1	1
Recall, state judges	10	4	6	

SUBJECT.	NO. TIMES DEBATED	DECISION AFF.	DECISION NEG.	NOT REPORTED
Recall, State and federal judges	3	1	2	
Total, Recall of judges	13	5	8	
Suffrage, Woman	10	4	6	
Tariff; Present tariff unjust to the West	1		1	
Tax, Single	5		5	
Triple Entente, Abandonment of by France	1	1		
Trusts, Commission Regulation of	5	4	1	
Trusts, Regulation vs. Dissolution	1		1	
Unicameral state legislature	3	2	1	

II

SUBJECT.	1910-11	1911-12	1912-13	1913-14
Arbitration, Compulsory	3	4	12	7
Arbitration, International		4		3
Anti-Alien land legislation, Calif. justified				5
Bank, Central (including Aldrich plan)	13	8	16	
Bank deposits, guarantee of				1
Bank, Cooperative credit				1
Bankruptcy, repeal of federal law			1	
Cabinet Officers in Congress			3	
Capital Punishment			3	
Centralization of power under federal government		1	5	
Closed shop	13	8		
College Degrees		1		
Conservation (Including Government ownership of coal mines)	14	2	2	
Constitution, Amendment of			2	
Corporations, Federal charter for	3	17	14	1
Education, against Scientific			2	
Express business, federal control of				7
Federal Charter. (See Corporations.)				
Federal control of marriage and divorce		1		
Fortification of the Panama Canal		4		

SUBJECT.	1910-11	1911-12	1912-13	1913-14
Government ownership, of railroads		2	2	10
Government ownership, of telegraph and telephone				3
Government, Parliamentary vs. Presidential	2	1	6	
Greek letter fraternities		3		
High Cost of living			2	
Immigration (further restriction, educational test)		2	10	41
Income tax (State, in 1912–13)	32	10	3	
Inheritance tax		6		
Initiative and Referendum	21	20	4	3
Initiative and Referendum and Recall			4	
Insurance, Compulsory Accident			5	2
Insurance, Compulsory Old Age			3	
Jury system, change in	1	2		1
Labor Unions, inimical or beneficial	6			
Minimum Wage (All statements of question)	2		15	57
Monroe Doctrine, Abandonment of		1		11
Municipal government, Commission form of	20	2	17	2
Municipal ownership of public utilities		4		9
Open shop justified				1
Panama Canal tolls			16	18
Parcel Post. (See also express business)	1	3		
Philippines, independence for			6	19
President, Direct election, nomination, Single six year term, etc			9	14
Primaries, Direct				3
Prohibition, Hobson's amendment plan				1
Public Utilities, State commission control				2
Recall of elective officers		14	1	
Recall of judges		37	23	13
Recall of judicial decisions			20	3
Senators, elected by direct vote	3	5	1	
Ship subsidy	9	5	1	
Short ballot	3			
Single tax	3	4	3	5

SUBJECT.	1910-11	1911-12	1912-13	1913-14
States rights			2	
Suffrage, educational requirement			1	
Suffrage, Woman	2	7	5	10
Tariff. (Including reciprocity)	18	7	17	1
Tax (See Income, Inheritance, Single) exemption from personal property tax			3	
Trusts. (Including all form of control. See also Corporation, Federal charter)		28	23	6
Unicameral state legislature				3
United States Naval policy	2			4
Workmen's Compensation. (See Insurance).		2		

APPENDIX IV

Specimen Debate Contracts and Agreements.

I

AGREEMENT OF THE JOHNS HOPKINS—VIRGINIA—NORTH CAROLINA TRIANGULAR

Johns Hopkins University, the University of Virginia and the University of North Carolina hereby agree to hold a triangular debate under the following conditions:

1. Each university shall send a team to both of the others, *i.e.*, North Carolina and Johns Hopkins shall meet at Virginia. Johns Hopkins and Virginia shall meet at North Carolina. Virginia and North Carolina shall meet at Johns Hopkins. The three debates will thus be held on neutral ground, and all three contests shall take place on ..... (the same evening.)

2. Each university shall be represented by a team of two speakers, and if desired, by one alternate. The men may be chosen from any department, but they must be *bona fide* students, taking not less than two-thirds the normal course required for a degree.

3. The university at which the contest is held shall, for the purposes of such contest, engage the presiding officer and arrange for a hall, and shall defray the cost of any local expenditures such as music, programs, etc.

Each university is to bear the expenses of both its teams, except that the sum total of the railroad fare and Pullman fare of the twelve speakers shall be borne in equal portions by the three universities, and as soon as possible after the debate shall be adjusted *pro rata*.

4. Not later than December 9, 1913, each university shall

submit to both the others a question properly stated for the debate. On December 18, 1913, each university shall send the three questions to each of the others, arranged in the order of choice. First choice shall count three, second choice two, and third choice one. The question receiving the highest number of points shall be debated by all the teams. In case of a tie the selection from the tieing questions shall be made by Prof. Thomas C. Trueblood of the University of Michigan. The questions in each instance shall be sent to the other institutions by registered mail.

5. On February 1, 1914, each university shall send a registered letter to each of the other institutions containing its choice of one or the other of two possible schedules for the debates, i.e., where the affirmative and negative teams are to go.

6. Each speaker shall be allowed in all twenty-five minutes for a main speech and a rebuttal speech. The time may be divided as he prefers, provided that the rebuttal speech may not be over ten minutes in length. Of the main speeches, the affirmative will have first and third; of the rebuttal speeches, the negative shall have first and third. Either side may change the order of its speakers.

7. There shall be five judges for each debate, selected from the faculty of the university at which the debate is held, provided that none of the judges so selected shall have been connected at any time with either of the contesting institutions. One month before the debate, a list of nine possible judges shall be submitted to the contesting institutions, who shall have the right to strike off names, and express their preferences, in order. The professors receiving the highest number of votes shall be selected.

8. The provisions of this contract shall not be amended except by unanimous consent.

9. (a) During the debate the judges shall not sit together.
   (b) They shall decide without regard to their personal opinion.
   (c) Each judge shall, without consultation, sign and hand in a ballot. It shall be sealed in an envelope.
   (d) The judges shall consider both thought and delivery, but thought shall be primary and delivery secondary.

(e) In the presence of the audience the presiding officer shall open the ballots and announce the decision.

10. (a) No new argument shall be permitted in rebuttal speeches although new material may be used in support of arguments already presented.

(b) No speaker is to be interrupted by an opponent during refutation to call attention to new matter.

11. Sections 9 and 10 of this agreement shall be handed to each judge, in writing, before the debate, and shall be the only instructions.

II

CONSTITUTION, OHIO INTERCOLLEGIATE DEBATING LEAGUE. (REVISED 1911)

(The First Triangular League)

ARTICLE 1. NAME AND MEMBERSHIP

This organization shall be known as the "Ohio Intercollegiate Debating League," and shall consist of the debating interests of Ohio Wesleyan University, Western Reserve University and Oberlin College.

ARTICLE 2. OBJECT AND SCHEDULE OF DEBATES

Section 1. It shall be the object of this league to foster interest in debate by holding annual contests.

Section 2. The following schedule shows the time and order of holding debates, beginning with 1912. In each year, the debate shall occur on the third Friday in January. In the schedule below, the debate is to be held with the institution first named.

In 1912 and subsequent even years	Wesleyan and Oberlin Reserve and Wesleyan Oberlin and Reserve
In 1913 and subsequent odd years	Oberlin and Wesleyan Reserve and Oberlin Wesleyan and Reserve

ARTICLE 3. ELIGIBILITY OF DEBATERS

Any undergraduate student who is regularly enrolled for at least ten hours a week, the sum of whose credits at the time of debate shall not exceed 120 semester hours, and who shall not have attended any school of college rank for more than four years in all may enter the contests.

ARTICLE 4. DIRECTORS AND OFFICERS

Section 1. There shall be a board of directors, consisting of two students and one professor representing each of the institutions composing the league. A representative of each institution shall constitute a quorum.

Section 2. It shall be the duty of the board of directors to meet upon a call of any two institutions of the league, but no action affecting the debate for the current year shall be taken later than the first of March.

Section 3. The vote in the meetings of the league shall be by institution, each institution having but one vote.

Section 4. The officers of the league shall be President, Secretary and Treasurer. These officers shall be elected by the associations of the institutions composing the league, and shall be members of the Board of Directors. Immediately after each local election, the names and addresses of those elected to the league officers shall be sent to the other institutions of the league.

Section 5. The officers of the league shall, together with the faculty members, constitute the executive committee.

Section 6. The officers of the league shall be elected as follows:

The presidency and treasurership shall alternate between Ohio Wesleyan and Western Reserve. On even years Reserve shall have the presidency and Wesleyan the treasurership. The secretaryship shall be held for a period of five years by Oberlin and the faculty member shall be custodian of the permanent records of the league.

Section 7. It shall be the duty of the president of the league to preside at all meetings of the Board of Directors, to call special meetings of the Board at the written request of three

associations, and to give ten days' notice of such meetings. In the absence of the president, a president pro tempore shall be elected.

Section 8. The secretary shall perform the usual duties pertaining to his office. He shall notify in writing each member of the Board of Directors of proposed amendments to the constitution, at least ten days before the meeting at which they are to be considered. He shall also notify the delegates of each institution of the time of holding meetings and shall perform such other duties as the Board of Directors may require.

Section 9. The treasurer shall keep the accounts of the league, pay all bills audited and allowed by the executive committee, and dispose of the surplus funds as the Board of Directors may order.

Section 10. The executive committee shall audit the treasurer's accounts and transact all other necessary business not herein provided for.

ARTICLE 5. JUDGES

Section 1. Four weeks before the debate, each institution shall appoint a representative to act for it in the selection of judges. The representative of the uninterested institution shall arrange for three judges and an alternate for the debate between the other two institutions: Oberlin's representative arranges for the judges in the Reserve-Wesleyan debate, Reserve's representative the judges in the Oberlin-Wesleyan debate, and Wesleyan's representative the judges in the Oberlin-Reserve debate. The names of the judges shall be made known to the competing institutions on the morning of the day of the debate. Of the judges thus selected there shall be no protest.

Section 2. No relative of any contestant, no alumnus of either contesting institution, no person who holds or has held any official connection with either contesting institution shall act as a judge of debate. A copy of this section shall be furnished each prospective judge at the time he is invited to serve.

Section 3. Each judge shall decide for himself what constitutes effective debating. Before the debate begins, he shall be furnished with a typewritten copy of the following form for his ballot:

In my opinion, without reference to my views upon the merits of the question, the most effective debating has been done by the affirmative or negative.

At the close of the debate, he shall, without consulting any one, record, sign and seal his decision. These decisions shall be collected and handed to the presiding officer, who shall, in the presence of the audience, break the seals, count the votes and announce the result.

ARTICLE 6. CONTESTS AND ALLOWANCE OF TIME

Section 1. Each association shall send to each debate three contestants and one alternate.

Section 2. The order of the debate and the time of speeches shall be as follows: First affirmative speaker followed by first negative speaker, ten minutes each; second affirmative speaker followed by second negative speaker, ten minutes each; third affirmative speaker followed by third negative speaker, ten minutes each. In rebuttal, the time shall be five minutes for each speaker but the order of speakers shall be left to the discretion of each side. The affirmative side shall have the closing rebuttal speech.

ARTICLE 7. SELECTION OF THE QUESTION

Section 1. In each year, all institutions shall debate upon the same question.

1910 Oberlin proposes to Wesleyan for 1911, 1911 Reserve proposes to Oberlin for 1912, 1912 Wesleyan proposes to Reserve for 1913, 1913 Oberlin proposes to Reserve for 1914, 1914 Reserve proposes to Wesleyan for 1915, 1915 Wesleyan proposes to Oberlin for 1916, 1916 Oberlin proposes to Wesleyan for 1917, 1917 Reserve proposes to Oberlin for 1918, 1918 Wesleyan proposes to Reserve for 1919, 1919 Oberlin proposes to Reserve for 1920.

Section 2. The questions for debate shall be proposed not later than March 1, and the choice of side announced not later than October 15.

ARTICLE 8. FINANCES

Section 1. At all contests, such an admission fee shall be

charged as shall be deemed proper by the local association at the place where the debate is held.

Section 2. Each institution shall bear the expense of its home contest, including the expense of judges, the expense of its own team when sent to one of the other institutions, as well as the expense of its own delegates to the annual meeting. In case of a deficit in the management of any debate, each institution in the league shall bear its proportionate share of such deficit, provided the institution having a deficit shall present a certified statement of all receipts and disbursements of the debate.

Section 3. The league may, at any meeting, vote such general expenses as are not otherwise provided for.

ARTICLE 9. ADOPTION

This constitution, subject to amendment at the first meeting of the Board of Directors as herein provided, shall take effect whenever adopted by the faculties of the institutions concerned, or by associations organized in them under the authority of their faculties. It shall be effective between such institutions as approve, if not approved by all.

ARTICLE 10. AMENDMENTS

This constitution may be amended by a two-thirds vote of the Board of Directors in annual session, provided that a written copy of the proposed amendment shall be filed with the secretary at least fifteen days before the annual meeting.

BY-LAWS

1. Robert's "Rules of Order" shall be authority in all deliberations of the league, of the Board of Directors, and of all committees.

APPENDIX V

DEBATER'S BIBLIOGRAPHY OF ARGUMENTATION AND DEBATE

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